



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Leagter Clanton
DOCKET NO.: 13-30617.001-R-1
PARCEL NO.: 29-08-319-053-0000

The parties of record before the Property Tax Appeal Board are Leagter Clanton, the appellant(s); and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$1,940
IMPR.: \$2,904
TOTAL: \$4,844

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2013 tax year. The Property Tax Appeal Board (Board) finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of an 8,625 square foot parcel of land improved with a 63-year old, one-story, masonry, single-family dwelling containing 1,504 square feet of building area. The property is located Thornton Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted sales information on five properties. The properties sold for prices ranging from \$6.96 to \$32.21 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,287. The subject's total assessment reflects a market value of \$82,870 or \$55.10 per square foot of living area using the Cook County Real Estate Classification Ordinance level of assessment of 10% for class 2 properties.

In support of the correct assessment, the board of review submitted four sales comparables. These properties sold for prices ranging from \$59.88 to \$153.16 per square foot of building area.

In written rebuttal, the appellant submitted a brief asserting that the board of review's evidence was insufficient.

At hearing, the appellant, Leagter Clanton, argued that the subject's neighborhood is still recovering from the poor real estate market. He testified that he spoke with all his neighbors living on his block and that his property is the highest taxed property when compared to them. Mr. Clanton testified that many businesses are leaving Harvey and that there are many abandoned homes in town. He further testified that he received a letter from the assessor for valuing his property in a subsequent year at \$100,000. He opined that this was too high of a value and the market is still struggling and hasn't fully recovered.

Under cross examination, Mr. Clanton testified that he has never hear of Pro Tax Appeal, the preparer of the appellant's evidence.

The board of review's representative, Jose Rodrigues, rested on the evidence previously submitted.

In response to the Board's questions, Mr. Clanton testified that he is not familiar with the board of review's comparables, but that Calumet City is a 15 minute drive from his home and South Holland is a five to ten minute drive. He testified that these two towns have more businesses than Harvey, which is losing businesses.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c).

The Board finds the appellant's does not know who created the database system that makes the adjustments to the comparables within the appellant's grid and, therefore, the adjustments, property equalization values, and market value equalization will be given no weight. The Board will look only at the raw sales data provided by the appellant.

The Board finds the best evidence of market value are the appellant's comparables. These properties sold from October 2011 to June 2013 for prices ranging from \$6.96 to \$32.21 per square foot of building area. In comparison, the appellant's assessment reflects a market value of \$55.10 per square foot of building area which is above the range established by the comparables. Based on the record and after adjustments to the comparables, the Board finds the appellant did demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction is justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Acting Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: January 27, 2017



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of

the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.