



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

APPELLANT: Gary Moberly  
DOCKET NO.: 13-35869.001-R-1  
PARCEL NO.: 15-09-107-063-0000

The parties of record before the Property Tax Appeal Board are Gary Moberly, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** 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:** \$2,277  
**IMPR.:** \$7,143  
**TOTAL:** \$9,420

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2013 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a one-story dwelling of frame and masonry exterior construction with 1,029 square feet of living area. The dwelling is approximately 57 years old. Features of the home include a full unfinished basement. The property has a 5,062-square foot site and is located in Bellwood, Proviso Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted six comparable sales. Four of the comparables are located within the same neighborhood code as the subject property. The comparables consist of one-story dwellings that were built from 1950 to 1959. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 832 to 1,066 square feet of living area. The comparables sold from May 2012 to July 2013 for prices ranging from \$24,299 to \$74,500 or from \$29.21 to \$74.20 per square foot of living area.

including land. Based on this evidence, the appellant requested the total assessment be reduced to \$3,374.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$9,420. The subject's assessment reflects a market value of \$94,200 or \$91.55 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within the same neighborhood code as the subject property. The comparables consist of one-story dwellings that range in age from 55 to 84 years old. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,001 to 1,009 square feet of living area and are situated on sites that range in size from 4,410 to 6,409 square feet of land area. The comparables sold from September 2012 to October 2013 for prices ranging from \$117,900 to \$150,000 or from \$117.78 to \$148.66 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the board of review's comparable sales.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains ten comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #2, #5 and #6 due to their smaller dwelling size or distant location when compared to the subject property. The Board also gave less weight to the appellant's comparable #4 and the board of review's comparable #2 due to their full finished basement when compared to the subject property. Furthermore, the Board gave little weight to the board of review's comparable #3 due to its older age when compared to the subject property.

The Board finds the best evidence of market value in the record to be the appellant's comparable #3 and the remaining three board of review's comparables. These properties sold proximate in time to the January 1, 2013 assessment date at issue and were similar to the subject in location, age, dwelling size, design and features. The comparables sold for prices ranging from \$74,500 to \$150,000 or from \$74.20 to \$148.66 per square foot of living area, including land. The subject's total assessment reflects a market value of \$94,200 or \$91.55 per square foot of living area including land, which falls within the range established by the best comparables in this record. Based on this record the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment is not 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

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Chairman



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Member



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Member



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Member



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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: \_\_\_\_\_ October 16, 2018



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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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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