



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

APPELLANT: Greg Batelli G & Dee LLC
DOCKET NO.: 14-34920.001-R-1
PARCEL NO.: 15-10-418-003-0000

The parties of record before the Property Tax Appeal Board are Greg Batelli G & Dee LLC, 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 **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: \$1,584
IMPR.: \$1,966
TOTAL: \$3,550

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 2014 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 and one-half story dwelling of frame construction with 1,100 square feet of living area. The dwelling is approximately 134 years old and has a full unfinished basement.¹ The property has a 4,224 square foot site and is located in Maywood, 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 this argument the appellant submitted information on seven comparable sales that were located from .16 to .88 of a mile from the subject property. Three comparables were located within the subject's neighborhood code. The comparables were described as "1.5 to 1.9 Stories" dwellings that

¹ The parties differ slightly as to the age of the subject dwelling. The Board finds the slight discrepancy will not impact the Board's decision in this appeal.

ranged in size from 997 to 1,282 square feet of living area. The comparables were built from 1876 to 1909. Six comparables had partial or full basements with unfinished areas. Other features had varying degrees of similarity to the subject. The comparables had sale dates ranging from February 2013 to November 2014 for prices ranging from \$12,000 to \$52,400 or from \$12.04 to \$48.07 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,873. The subject's assessment reflects a market value of \$88,730 or \$80.66 per square foot of living area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on three comparable properties located within the subject's neighborhood code. The comparables were described as "one-story" dwellings, unlike the subject and ranged in size from 1,082 to 1,254 square feet of living area. The comparables ranged in age from 46 to 99 years old. Each comparable has a full basement with one comparable having a finished area. Other features had varying degrees of similarity to the subject. The comparables had sale dates ranging from June 2013 to December 2013 for prices ranging from \$95,000 to \$122,000 or from \$86.05 to \$101.66 per square foot of living area, including land.

The appellant submitted a rebuttal critiquing the board of review's submission noting the differences in styles and the newer ages of the board of review comparables when compared to the subject property.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record was submitted by the appellant. The Board further finds the best evidence of market value to be the appellant's comparable sales #1, #3, #4, #5, and #7. These comparables were similar to the subject in location, design, age, foundation, and most features. These comparables sold proximate in time to the January 1, 2014 assessment date at issue. These comparables sold from February 2013 to November 2014 for prices ranging from \$24,500 to \$47,500 or from \$19.11 to \$38.24 per square foot of living area, including land. The subject's assessment reflects a market value \$88,730 or \$80.66 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. The Board gave reduced weight to the appellant's comparable #6 which appears to be an outlier in reference to the market value evidence in this record. The Board also gave less weight to the appellant's comparable #2 and the board of review comparables due to their differences in design, age and/or foundation when compared to the subject property.

Docket No: 14-34920.001-R-1

Based on this evidence the Board finds a reduction in the subject's assessment 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. 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.

Chairman



Member



Member



Member



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: December 18, 2018



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Greg Batelli G & Dee LLC, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602