



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

APPELLANT: Marty Maher  
DOCKET NO.: 15-24999.001-R-1  
PARCEL NO.: 14-18-416-004-0000

The parties of record before the Property Tax Appeal Board are Marty Maher, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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:** \$19,685  
**IMPR.:** \$54,315  
**TOTAL:** \$74,000

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 2015 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 two improvements on a single parcel. Dwelling #1 is a three-story, multi-family dwelling of masonry construction. The dwelling is approximately 111 years old and has 3,942 square feet of living area. Features of dwelling #1 include three apartment units and a full unfinished basement. Dwelling #2 is a two-story, multi-family dwelling of masonry construction. The dwelling is a coach house that is approximately 96 years old and has 1,636 square feet of living area. Features of dwelling #2 include two apartment units and a full unfinished basement. The subject property has a 4,687-square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-11 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 an appraisal report, dated April 3, 2016, estimating the subject property had

a market value of \$740,000 as of January 1, 2015. The appraiser developed the sales comparison approach for estimating the market value of the subject property. Using the sales comparison approach, the appraiser considered five comparable properties that sold from May 2014 to September 2015 for prices that ranged from \$450,000 to \$512,000 or from \$126.70 to \$138.38 per square foot of living area, land included. The appraiser submitted a map showing the location of the subject property and the five comparable sales. The map revealed that none of the comparables were located in close proximity to the subject property. The comparables have sites that range from 3,125 to 6,200 square feet of land area. The comparable properties are improved with two-story, multi-family dwellings. The dwellings were constructed from 1870 to 1928 and range in size from 3,400 to 3,840 square feet of living area. The appraiser did not provide information on the dwellings' exterior construction, foundation type, and features such as number of apartment units, central air conditioning and garages, if any. After identifying differences between the comparable properties and the subject, the appraiser made qualitative adjustments to the sale prices for differences in living area; mix of apartment units; land to building ratio; and age/condition. The appraiser made no adjustments for differences in location, age or sale date. The appraiser determined that the adjusted sale prices of the comparable properties ranged from \$125.43 to \$135.61 per square foot of living area, land included. As a result, the appraiser concluded that the subject property had a market value of \$740,000 (rounded) as of January 1, 2015. Based upon the appraisal, the appellant requested that the subject's total assessment be reduced to \$74,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$87,370 (\$19,865 for the land; \$45,281 for dwelling #1; and \$22,404 for dwelling #2). The subject's assessment reflects a market value of \$873,700, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables for each of the subject's dwellings. Based upon the equity evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney asserted that the board of review's equity evidence was not responsive to the appellant's overvaluation argument. The appellant's attorney also submitted a copy of the Cook County Board of Review's final decision for the 2016 tax year, dated December 12, 2016 which revealed that the subject's assessment had been reduced from \$87,730 to \$74,000.

### **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 only evidence of market value in the record to be the appraisal submitted by the appellant. The appellant's appraiser estimated the subject property had a market value of

\$740,000 as of January 1, 2015. The appraiser analyzed five comparable sales to arrive at an estimate of the subject's market value. The Board finds the appraiser made logical adjustments to arrive at a final conclusion of value. The subject's assessment reflects a market value above the best evidence of market value in the record.

The Board finds the board of review was not able to adequately refute the market value conclusion contained in the appellant's appraisal report. The board of review submitted equity evidence that did not address the appellant's overvaluation argument. Consequently, the Board gave no weight to the board of review's equity evidence.

The Board finds the subject property had a market value of \$740,000 as of the assessment date at issue. The Board finds a reduction in the subject's assessment commensurate with the appellant's request 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: August 21, 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

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