



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

APPELLANT: James Preusser
DOCKET NO.: 15-35666.001-R-1
PARCEL NO.: 13-03-135-039-0000

The parties of record before the Property Tax Appeal Board are James Preusser, 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: \$11,114
IMPR.: \$32,186
TOTAL: \$43,300

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 parcel is improved with a two-story frame and masonry dwelling. The dwelling is 51 years old and contains 2,488 square feet of living area. The dwelling features a partial basement with finished area, central air conditioning and a 2-car garage. The property is located in neighborhood 21 in Chicago, Jefferson Township, Cook County and is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. The appellant completed Section IV - Recent Sale Data of the appeal indicating the subject was purchased on May 28, 2015 for \$433,000. The purchase was made through a realtor, from the owner of record, and was not between family or related corporations. The property was advertised for sale through the Multiple Listing Service. The appellant submitted a Settlement Statement disclosing the purchase date and price and that the seller was a trust. The appellant also submitted an MLS Listing Sheet indicating the subject's original listing price on January 26, 2015 was \$465,000

and the subject was on the market 61 days. The appellant also submitted a Listing and Property History Report indicating the subject underwent a price reduction between listing and sale. Based on this evidence the appellant requested the total assessment be reduced to \$43,300.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$55,550. The subject's assessment reflects a market value of approximately \$555,500 or \$223.27 per square foot of living area, land included, when applying the Cook County Real Property Assessment Ordinance level of assessment for class 2 property.

In support of the subject's assessment the board of review submitted three comparables. They are described as two-story frame or frame and masonry dwellings ranging in age from 46 to 60 years old and ranging in size from 2,559 to 3,092 square feet of living area. They have features with varying degrees of similarity as compared to the subject. They sold from July 2013 to August 2015 for prices ranging from \$610,000 to \$707,000 or from \$217.00 to \$254.01 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

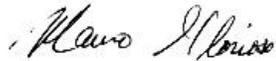
In written rebuttal, counsel for the appellant states the board of review does not dispute the recent sale of the subject, nor does it provide any evidence that the recent sale was not valid.

Conclusion of Law

The taxpayer contends overvaluation as the basis of the appeal. 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 based on overvaluation is warranted.

The Board finds the appellant completed Section IV of the Appeal Form and submitted a Settlement Statement and an MLS Listing Sheet disclosing the subject property was purchased on May 28, 2015 for \$433,000. The subject was on the market 61 days and had undergone a price reduction between listing and sale. The Board finds the purchase was an arm's length transaction which was not refuted by the board of review. The Board gave less weight to the comparables submitted by the board of review based on dissimilar dwelling size and/or features as compared to the subject. Comparable #2 is a dated sale from 2013 which is less indicative of market value as of the subject's assessment date of January 1, 2015. The Board finds the appellant has proven by a preponderance of the evidence that the subject is overvalued, and a reduction in the subject's assessment is warranted.

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

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: June 19, 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

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