



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

APPELLANT: Vulcan Group Trust
DOCKET NO.: 17-44927.001-R-1
PARCEL NO.: 28-09-203-005-0000

The parties of record before the Property Tax Appeal Board are Vulcan Group Trust, 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: \$5,575
IMPR.: \$4,525
TOTAL: \$10,100

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a favorable 2016 decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge the assessment for the 2017 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 1.5-story dwelling of frame and masonry exterior construction with 1,237 square feet of living area. The dwelling was constructed in 1950 and is approximately 68 years old. Features of the home include a partial unfinished basement, a fireplace and a two-car garage. The property has a 12,389 square foot site and is located in Midlothian, Bremen 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 citing both a recent sale of the subject and comparable sales data.

As to the recent sale data, the appellant submitted evidence disclosing the subject property was purchased on October 28, 2015 for a price of \$86,000. The appellant supplied a copy of the

Settlement Statement depicting that the seller was Dorian Keebler, who the appellant reported was the owner of record and reported that the parties were not related. The appellant further indicated that the property was sold through a Realtor, the property had been advertised in the Multiple Listing Service (MLS) and the property had been on the marketed for 131 days as depicted on the listing sheet supplied with the appeal. The listing also described the property as "attention flippers" having so much potential and "possible structural attention needed."

The appellant submitted information on five comparable sales none of which are located in the same neighborhood code as the subject and are from .48 to .77 of a mile from the subject. The comparables have lots ranging in size from 4,690 to 9,415 square feet of land area and are improved with 1.5 to 1.9-story dwellings. The comparables range in size from 1,111 to 1,415 square feet of living area and were built from 1952 to 1955. One comparable has a full unfinished basement. Two of the comparables have central air conditioning and each has either a 2-car or a 2.5-car garage. The comparables sold from July 2016 to June 2017 for prices ranging from \$83,000 to \$148,000 or from \$60.32 to \$112.69 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$8,600 which would reflect the October 2015 purchase price of the subject.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$18,377. The subject's assessment reflects a market value of \$183,770 or \$148.56 per square foot of living area, including land, 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 four comparable sales none of which are located within the same neighborhood code as the subject, but are said to be either in the subject's subarea or within ¼ of a mile of the subject. The comparables have lots ranging in size from 7,572 to 15,800 square feet of land area and are improved with similar class 2-03 one-story dwellings of frame or frame and masonry exterior construction. The comparables range in size from 1,141 to 1,238 square feet of living area and were 34 to 64 years old. Each comparable has a full basement, three of which have formal recreation rooms. Each dwelling has central air conditioning and a 2-car or a 2.5-car garage. One comparable also has "other improvements" that were not further described. The comparables sold from June 2015 to December 2016 for prices ranging from \$130,000 to \$163,000 or from \$113.94 to \$131.66 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that none of the board of review comparables were similar to the subject. The comparables were each of a different design/story height than the subject and three of the comparables were significantly newer than the subject. The appellant also contended that board of review comparable #4, which sold in 2015, reflected a sale that was too remote in time to establish market value as of January 1, 2017. The appellant contends when considering the best comparables in the record, namely the appellant's four comparables, the subject is overvalued.

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 parties submitted a total of eight comparable properties to support their respective positions before the Property Tax Appeal Board along with the 2015 sale of the subject. The Board has given reduced weight to the appellant's presentation of the 2015 purchase price of the subject along with board of review comparable #4, which as stated by the appellant in rebuttal, reflects a sale too remote in time to be indicative of the subject's estimated market value as of January 1, 2017. The Board has given reduced weight to appellant's comparables #2 through #5 as each of these dwellings lack a basement, which is a feature of the subject property. The Board has given reduced weight to board of review comparables #1, #3 and #4 due to their significantly newer ages when compared to the subject dwelling that is approximately 68 years old.

The Board finds the best evidence of market value to be appellant's comparable sale #1 and board of review comparable sale #2 as these properties are each most similar to the subject in age, foundation and several features. These comparables sold for prices of \$83,000 and \$130,000 or for \$60.32 and \$113.94 per square foot of living area, including land. The subject's assessment reflects a market value of \$183,770 or \$148.56 per square foot of living area, including land, which is above the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject including lot size, 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: June 8, 2021



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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