



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

APPELLANT: Kathleen Pasulka-Brown
DOCKET NO.: 18-23449.001-R-1
PARCEL NO.: 15-11-207-042-0000

The parties of record before the Property Tax Appeal Board are Kathleen Pasulka-Brown, the appellant, by attorney Daniel J. Farley, of the Law Offices of Terrence Kennedy Jr. in Chicago; 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: \$24,510
IMPR.: \$73,790
TOTAL: \$98,300

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 2018 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 two-story, single-family dwelling of stucco exterior construction with 4,674 square feet of living area.¹ The dwelling is approximately 63 years old and has a partial, 840-square foot basement with finished area. Features of the home include central air conditioning, a fireplace, and a two-car garage. The property has a 25,800 square foot site and is located in River Forest, River Forest Township, Cook County.

¹ The parties differ as to the dwelling size and basement size of the subject dwelling. The Board finds the best evidence in the record regarding the property characteristics for the subject dwelling was provided in the appraisal submitted by the appellant which was supported with schematic drawings and the dimensions of the subject dwelling. In contrast, the board of review provided no data to support a stated dwelling size of 4,792 square feet of living area or a full-sized basement.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an "as-is" appraisal prepared by Michael J. Nolan with an estimated market value of \$983,000 as of May 2, 2017. The property rights appraised were fee simple, and the appraisal was performed in connection with a mortgage finance transaction. The supplemental brief submitted by the appellant's attorney and the appraisal indicate the subject property is an owner-occupied residence. In estimating the market value of the subject property, the appraiser developed the cost and sales comparison approaches to value.

Under the cost approach, the appraiser's opinion of the site value was \$225,000. The appraiser calculated the estimated cost new of the subject dwelling to be \$950,787, subtracted \$193,000 for physical and external depreciation, added "as-is" value of site improvements of \$10,000, for the estimated cost approach value of \$992,800 (rounded) for the subject property.

Under the sales comparison approach, the appraiser selected four comparables, three of which sold and one of which was an active listing that are located in River Forest within 1.64 miles from the subject property. The parcels have land sizes ranging from 12,248 to 29,200 square feet of land area and are improved with 61 to 123 year old dwellings ranging in size from 3,892 to 5,963 square feet of living area. The comparables have other features with varying degrees of similarity to the subject. The sales of comparables #1 through #3 occurred from June to December of 2016 and comparable #4 is an "active" listing. The four comparables have sale or list prices ranging from \$945,000 to \$1,375,000 or from \$230.59 to \$270.55 per square foot of living area, including land, and adjusted sales prices ranging from \$951,000 to \$1,104,600, including land.

Based on the sales comparison approach, the appraiser determined the appraised value of the subject property to be \$983,000 or \$210.00 (rounded) per square foot of living area, including land. Based on the appraised value for the subject property, the appellant requested a reduction in the subject's total assessment to \$98,300, when using the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$118,648. The subject's assessment reflects a market value of \$1,186,480 or \$253.85 per square foot of living area, land included, when using 4,674 square feet of living area and 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 of the subject property, the board of review provided information on four comparable sales located in River Forest. One comparable is located within the same neighborhood code as the subject property. The parcels have land sizes ranging from 11,500 to 18,400 square feet of land area and are improved with two-story dwellings ranging in size from 3,209 to 3,728 square feet of living area. The dwellings range in age from 72 to 93 years old. The comparables have other features with varying degrees of similarity to the subject. The comparables sold from January 2015 to September 2017 for prices ranging from \$1,100,000 to \$1,872,000 or from \$299.45 to \$502.15 per square foot of living area, including land.

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

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 to be the appraisal submitted by the appellant. The appraiser developed the sales comparison approach to value using three comparable sales and one active listing. The appraiser adjusted the comparables for differences from the subject property to arrive at an estimated market value for the subject property of \$983,000 or \$210.00 (rounded) per square foot of living area, including land. The subject's assessment reflects a market value of \$1,186,480 or \$253.85 per square foot of living area, land included, when using 4,674 square feet of living area, which is greater than the appraised value for the subject property. The Board gives less weight to the board of review comparable sales due to differences in their neighborhood codes, land sizes, ages, smaller dwelling sizes, and/or other amenities when compared to the subject. Moreover, comparable sales #2 and #4 have older sales dates in 2015 than the other comparable sales in this record which is less proximate in time to the January 1, 2018 assessment date at issue.

In conclusion, based on the evidence contained in this record, the Board finds a reduction in the subject's assessment commensurate with the appellant's appraisal 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: March 15, 2022



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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