



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

APPELLANT: Wendell Lu
DOCKET NO.: 19-38268.001-R-1
PARCEL NO.: 20-12-113-042-0000

The parties of record before the Property Tax Appeal Board are Wendell Lu, the appellant; 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: \$6,020
IMPR.: \$11,980
TOTAL: \$18,000

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 2019 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 single-family two-story row house of masonry exterior construction with 1,120 square feet of living area. The row house was constructed in 1954. Features of the home include two bedrooms and a full semi-finished basement.¹ The property has a 1,505 square foot site and is located in Chicago, Hyde Park Township, Cook County. The property is a class 2-10 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal and argued the board of review unjustly increased the value of the subject property. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$180,000 as of January 1, 2019. The appraisal was prepared by Andrew G. Hartigan, a State of Illinois Certified

¹ The appellant reported the subject has window mounted air conditioning units and the board of review reported central air conditioning.

General Real Estate Appraiser. The property rights appraised were fee simple estate and the retrospective appraisal was performed for the purposes of real estate taxation. In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value.

Under the sales comparison approach, the appellant's appraiser selected six comparable properties located within the same subdivision as the subject. The comparables were described as two-bedroom residential units in average condition that were built from 1916 to 1974. The comparables had other features with varying degrees of similarity to the subject. Comparables #1 through #5 sold from February 2018 to July 2019 for prices ranging from \$140,000 to \$189,000 or from \$70,000 to \$94,500 per bedroom or from \$28,000 to \$44,875 per room, including land. Comparable #6 was an active listing with a list price of \$181,500 which equates to \$90,750 per bedroom or \$36,300 per room, including land. The appraiser applied adjustments to the comparables, resulting in adjusted prices ranging from \$152,000 to \$207,900, or from \$76,000 to \$103,950 per bedroom or from \$30,400 to \$49,363 per room, including land. Based on the adjusted sale prices, the appraiser arrived at an estimated market for the subject of \$180,000 as of January 1, 2019.

In addition, the appellant submitted a copy of the 2018 Final Administrative Decision of the Illinois Property Tax Appeal Board for the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value of the subject.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,959. The subject's assessment reflects a market value of \$459,590 or \$410.35 per square foot of living area or \$229,795 per bedroom or \$114,898 per room, including land, when applying the 10% level of assessment for class 2 property 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 comparable sales located within the same assessment neighborhood code as the subject. The comparables have sites ranging in size from 2,718 to 4,100 square feet of land area and are improved with two-story dwellings of masonry exterior construction that range in size from 1,820 to 3,078 square feet of living area. The comparables range in age from 120 to 130 years old. The comparables each have four to six bedrooms, two comparables have central air conditioning, three comparables each have one or two fireplaces and one comparable has a two-car garage. The comparables sold from November 2017 to August 2019 for prices ranging from \$750,000 to \$1,570,000 or from \$412.09 to \$589.12 per square foot of living area, including land. Based on this evidence, the board of review requests confirmation of the subject's assessment.

In rebuttal, the appellant argued the board of review sales are not comparable to the subject. The board of review comparables are larger duplex or detached single-family homes with 4 to 6 bedrooms as compared to the smaller two-bedroom rowhome of the subject.

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 five comparable sales and one active listing that are similar two-bedroom properties with varying degrees of similarity to the subject property. The appraiser adjusted the comparables for differences from the subject property, which appeared reasonable, and arrived at an estimated market value of \$180,000. The subject's assessment reflects a market value of \$459,590, which is greater than the appraised value. Based on this record, the Board finds the subject property had a market value of \$180,000 as of January 1, 2019. The Board gave less weight to the board of review comparables which are larger duplex or detached single-family homes with 4 to 6 bedrooms as compared to the smaller two-bedroom rowhome of the subject. Since market value has been established the 10% level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance shall apply.

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:

July 20, 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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