



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

APPELLANT: Barry & Mary Omahen
DOCKET NO.: 20-32634.001-R-1
PARCEL NO.: 27-18-205-008-0000

The parties of record before the Property Tax Appeal Board are Barry & Mary Omahen, the appellants, 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: \$7,980
IMPR.: \$41,500
TOTAL: \$49,480

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2020 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 2-story dwelling of frame and masonry exterior construction with 3,613 square feet of living area. The dwelling was built in 1987 and is approximately 33 years old. Features of the home include a partial unfinished basement, a fireplace and a 3-car garage. The property has a 13,300 square foot site and is located in Orland Park, Orland Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend overvaluation as basis of the appeal. In support of this argument the appellants submitted information on five comparable sales located within .60 of a mile from the subject and within the same assessment neighborhood code as the subject. The comparables are situated on sites ranging in size from 13,300 to 50,747 square feet of land area and are improved with 2-story dwellings ranging in size from 3,270 to 3,686 square feet of living area. The homes

were built from 1987 to 1992 and have partial or full basements, one of which is finished with a recreation room. The comparables each have one or two fireplaces, central air conditioning and a 2-car or a 3-car garage. The comparables sold from June 2019 to October 2020 for prices ranging from \$430,000 to \$520,000 or from \$124.13 to \$143.73 per square foot of living area, including land. Based on this evidence, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$57,249. The subject's assessment reflects a market value of \$572,490 or \$158.45 per square foot of living area, land included, when using 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 located within a different assessment neighborhood code as the subject. The comparables are situated on sites ranging in size from 10,800 to 13,520 square feet of land area and are improved with 2-story dwellings of frame and masonry or masonry exterior construction ranging in size from 3,139 to 3,780 square feet of living area. The homes are 16 to 22 years old and have full basements, one of which is finished with a recreation room. Each comparable has central air conditioning, one or two fireplaces, and a 3-car garage. The comparables sold in October or November 2020 for prices ranging from \$595,000 to \$635,000 or from \$157.41 to \$191.14 per square foot of living area, including land.

In written rebuttal, the appellants' counsel noted the board of review comparables are not comparable to the subject due to differences in location, age, and/or dwelling size.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains nine comparable sales for the Board's consideration. The Board gives less weight to the board of review comparables which are located in a different assessment neighborhood code and are considerably newer dwellings when compared to the subject. The Board gives less weight to appellants' comparable #1 which has finished basement area unlike the subject and to appellants' comparables #4 and #5 due their significantly larger site sizes when compared to the subject.

The Board finds the best evidence of market value to be appellants' comparables #2 and #3 which overall are most similar to the subject in location, age, dwelling size and features. These comparables sold in January and September 2020 for prices of \$459,900 and \$470,000 or \$131.55 and \$143.73 per square foot of living area, including land. The subject's assessment reflects a market value of \$572,490 or \$158.45 per square foot of living area, including land, which falls above the best comparable sales in this record. Based on this evidence and after

considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is excessive and a reduction in the subject's assessment commensurate with the appellants' 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: June 18, 2024



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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