



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

APPELLANT: David Solis
DOCKET NO.: 09-32820.001-R-1
PARCEL NO.: 17-19-321-015-0000

The parties of record before the Property Tax Appeal Board are David Solis, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, P.C. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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: \$7,620
IMPR.: \$48,134
TOTAL: \$55,754

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 2009 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 2 multi-family dwellings. Improvement #1 is a two-story building of masonry construction with 4,692 square feet of living area. Improvement #2 is a two-

story building of masonry construction with 2,307 square feet of living area. Improvement #1 is 126 years old and improvement #2 is 124 years old. Both improvements have basement apartments. The property is located in Chicago, West Chicago Township, Cook County. The subject property is classified as class 2-11 apartment buildings under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on five comparable sales for improvement #1. The appellant failed to disclose any information regarding improvement #2 and submitted no comparables for analysis.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$60,438. The subject's assessment reflects a market value of \$604,380 or \$86.35 per square foot of combined living area, when applying the Cook County level of assessment for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables for improvement #1. The board of review submitted no comparables for analysis regarding improvement #2.

The board of review's submission included a list of 20 sales that occurred from April 1990 to August 2008 for prices ranging from \$48,000 to \$355,000. No other information regarding the characteristics of the sale properties was submitted for analysis.

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 appellant's comparable sales #1 through #3 and #5. These

comparables had various similarities to the subject's improvement #1, based on the limited information submitted by the appellant. The Board gave less weight to the appellant's comparable #4 due to its sale occurring greater than 22 months prior to the January 1, 2009 assessment date at issue. The Board gave less weight to the equity comparables presented by the board of review. The Board finds this evidence is not responsive to the overvaluation argument made by the appellant. The Board also gave less weight to the board of review's list of 20 sales, as the information submitted did not include property characteristics necessary when analyzing these properties' comparability to the subject. The best sales occurred from July 2008 to August 2009 for prices ranging from \$395,000 to \$500,000 or from \$65.31 to \$79.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$604,380 or \$86.35 per square foot of combined living area, which falls above the range established by the best comparables in this record. The Board further finds that the appellant did not dispute that the subject property was improved with 2 buildings; therefore, the Board finds the subject dwellings contain a total of 6,999 square feet of living area. Based on this evidence, the Board finds 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.

Chairman

K. L. Fan

Klaus Albrecht

Member

Member

JR

Jerry White

Member

Acting Member

Robert Steffen

Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

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: November 20, 2015

A. Proctor

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 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 the subsequent year 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.

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.