



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

APPELLANT: Arvaco
DOCKET NO.: 09-33529.001-R-1
PARCEL NO.: 20-08-304-008-0000

The parties of record before the Property Tax Appeal Board are Arvaco, 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 no change 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: \$ 2,187
IMPR.: \$13,237
TOTAL: \$15,424

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 a two-story, multi-family dwelling of masonry construction. The dwelling is approximately 101 years old and has 2,078 square feet of living area. Features include two apartment units and a full basement finished for an apartment. The property has a 3,125 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. When the appellant completed Section IV - Recent Sale Data of the residential appeal form, the appellant indicated that the subject property was purchased in August 2007 for a price of \$195,000. The appellant submitted a copy of the Illinois Real Property Transfer Declaration (PTAX-203). The transfer declaration revealed that the property sold in January 2008 for a price of \$108,000 or for \$51.97 per square foot of living area, land included. The appellant also submitted five comparable sales but did not complete section V - Comparable Sales Grid of the residential appeal form. The five comparables sold from April 2009 to March 2010 for prices that ranged from \$21,000 to \$145,000 or from \$10.57 to \$77.38 per square foot of living area, land included. Based on this evidence, the appellant 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 \$15,424. The subject's assessment reflects a market value of \$173,303 or \$83.40 per square foot of living area, land included, when using the 2009 three year average median level of assessments for class 2 property of 8.9% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales. These comparables sold from February to October 2009 for prices that ranged from \$280,000 to \$368,000 or from \$152.17 to \$203.98 per square foot of living area, including land. The board of review also submitted evidence that indicated the December 2007 sale of the subject property was compulsory in lieu of foreclosure. This evidence consisted of print-outs from the Cook County Recorder of Deeds' website. 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 did not meet this

burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave little weight to the appellant's market value evidence. The appellant did not fully complete Section IV - Recent Sale Data of the appeal form and never disclosed if the subject property had been exposed to the market. Moreover, the board of review submitted evidence that indicated the subject property was a distressed property and its sale was compulsory. As a result, the Board finds that the subject's sale was not demonstrated to be an arm's length transaction. The Board also gave little weight to the comparable sales submitted by the appellant. The appellant did not complete section V of the residential appeal form and did not provide descriptive information for these comparable sales. Moreover, the map supplied by the appellant indicated that the comparable sales were not located near the subject property.

The Board finds the best evidence of market value in the record to be the board of review's comparable sales. These comparables were similar to the subject in nearly all characteristics and sold from February to October 2009 for prices ranging from \$152.17 to \$203.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$83.40 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this record, the Board finds a reduction in the subject's assessment is not 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.

Chairman



Member



Member

Member



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: April 24, 2015



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.