



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

APPELLANT: Maria Cisneros  
DOCKET NO.: 10-28419.001-R-1  
PARCEL NO.: 26-05-105-009-0000

The parties of record before the Property Tax Appeal Board are Maria Cisneros, the appellant, by attorney Daniel J. Farley of Law Offices of Terrence Kennedy Jr. 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:** \$425  
**IMPR.:** \$425  
**TOTAL:** \$850

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 2010 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 frame construction. The dwelling is approximately 122 years old and has 1,962 square feet of living area.

Features of the dwelling include two apartment units and a partial unfinished basement. The property has a 3,500 square foot site and is located in Chicago, Hyde Park 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. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on October 25, 2010 for a price of \$8,500. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$9,003. The subject's assessment reflects a market value of \$90,030 or \$45.89 per square foot of living area, land included, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance.

With its "Notes on Appeal," the board of review submitted information about the subject property but did not submit any additional evidence to support its contention that the subject's current assessment was correct. In addition, Roland Lara, a board of review analyst, submitted a brief challenging the arm's length nature of the subject's sale. 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 only evidence of market value in the record was the purchase of the subject property in October 2010 for a price of \$8,500. The appellant provided evidence demonstrating the sale had many of the elements of an arm's length

transaction. The appellant did not complete Section IV - Recent Sale Data of the appeal form but submitted a letter stating the parties to the transaction were not related and the property had been advertised on the open market with the Multiple Listing Service (MLS #7331712). To document the transaction, the appellant submitted a copy of the settlement statement and the MLS listing sheet. The settlement statement revealed that the subject sold in October 2010 for a price of \$8,500 and that commissions were paid to two realty firms. The appellant also submitted the MLS listing sheet which disclosed the subject's listing history and that the property was in foreclosure. The subject's listing history revealed that the property had been on and off the market since August 2007. The property went back on the market on September 22, 2009 with an asking price of \$54,900 and remained on the market for thirteen months prior to its October 2010 sale. During its thirteen months on the market, the subject's asking price was reduced six times until the property sold on October 25, 2010 for a price of \$8,500. The Board finds the subject's sale was proximate to the assessment date and the subject's asking price and purchase price were below the market value reflected by the assessment.

The board of review challenged the arm's length nature of the transaction by arguing the appellant had not submitted sufficient evidence. The Board finds the appellant submitted enough documentary evidence to demonstrate the subject's sale had the necessary elements of an arm's length transaction. Furthermore, the Board finds the board of review did not submit any evidence to refute the appellant's contention that the purchase price was reflective of market value. Consequently, the Board gave the board of review's argument little weight.

Based on this record, the Board finds a reduction in the subject's assessment is appropriate.

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.

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Chairman



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Member



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Member



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Member



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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: June 26, 2015



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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.