



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

APPELLANT: Tomas Accomando  
DOCKET NO.: 10-32537.001-R-1  
PARCEL NO.: 29-12-203-045-0000

The parties of record before the Property Tax Appeal Board are Tomas Accomando, the appellant, by attorney Anthony Lewis of the Law Offices of Gary H. Smith 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:** \$2,595  
**IMPR.:** \$21,780  
**TOTAL:** \$24,375

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 three-story multi-family dwelling of masonry construction with 6,072 square feet of living area. The dwelling is 30 years old. The property has a

6,920 square foot site and is located in Calumet City, Thornton Township, Cook County. The subject is classified as a class 2-11 apartment building 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 by a loan assignment and Sherriff's Deed on January 2, 2010 for a price of \$75,000. 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 \$32,955. The subject's assessment reflects a market value of \$329,550 or \$54.27 per square foot of living area, land included, when using the Cook County level of assessments for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables.

The board of review's submission included a list of 40 class 2-11 sales from the subject's neighborhood that occurred from March 1990 to May 2010 for prices ranging from \$60,000 to \$284,000. The subject was not one of the 40 class 2-11 sale properties on the board of review's list. 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 "Assignment of Loan Documents" submitted by the appellant, the "Assignee" in said document. The document clearly reveals "Assignee hereby assumes the Loan Documents and Judgment, and will substitute itself as Plaintiff in the Lawsuit, and accepts

all of the rights, benefits and privileges arising thereunder, as of the date hereof." The Loan Document appears to be in the amount of \$168,750 and the Judgment appears to be in the amount of \$75,000. Furthermore, the appellant partially completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold by Auction, however, the appellant did not answer whether the seller's mortgage was assumed. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. The Board gave little 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 40 sales, as the information submitted did not include property characteristics necessary when analyzing these properties' comparability to the subject. However, the Board finds the list did not include the subject's sale, as one of the sales of class 2-11 properties in the subject's neighborhood that sold from March 1990 to May 2010. Based on this record the Board finds the subject property had a market value of \$243,750, which is below the market value reflected by the subject's assessment and a reduction in the subject's assessment is appropriate to reflect the total set forth in the "Assignment of Loan Documents."

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

*K. L. Fan*

*Mark Albino*

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Member

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Member

*JR*

*Jerry White*

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Member

\_\_\_\_\_  
Acting Member

*Robert Steffen*

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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: December 18, 2015

*A. Proctor*

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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.