



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

APPELLANT: Mike Chamberlin
DOCKET NO.: 10-34586.001-R-1
PARCEL NO.: 16-15-128-018-0000

The parties of record before the Property Tax Appeal Board are Mike Chamberlin, the appellant, by attorney Glenn S. Guttman of Rieff Schramm Kanter & Guttman 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: \$4,375
IMPR.: \$25,790
TOTAL: \$30,165

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 5,995 square feet of living area. The dwelling is 85 years old. Features of the

home include a full basement, finished as an apartment and a two-car garage. The property has a 3,125 square foot site and is located in Chicago, West Chicago 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 limited evidence disclosing the subject property was purchased on December 9, 2009 for a price of \$22,000. 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 \$30,165. The subject's assessment reflects a market value of \$301,650 or \$50.32 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables to demonstrate the subject is being equitably assessed with similar properties in the subject's neighborhood.

The board of review also submitted a list of 20 sales; however, no information regarding the characteristics of the properties was submitted for analysis.

The appellant submitted a rebuttal brief critiquing the board of review's submission.

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 finds the appellant failed to meet the burden of proof that the subject property is overvalued. The Board gave less weight to the board of review's list of 20 sale properties, as the information submitted did not include property characteristics necessary when analyzing these properties' comparability to the subject. The Board finds the equity grid submitted by the board of review does demonstrate that the subject is being equitably assessed with similar properties in the subject's neighborhood. The Board also gave less weight to the subject's sale due to the appellant's lack of evidence demonstrating the sale had the elements of an arm's length transaction. The appellant failed to complete Section IV - Recent Sale Data of the appeal, which would have disclosed whether the parties to the transaction were related or not, if the property was sold using a Realtor, if the property had been advertised on the open market and the length of time it had been on the market. The appellant did submit a copy of a Special Warranty Deed, however, the deed did not include information regarding the subject's sale price or the circumstances of the sale and does not aid in establishing whether the sale was an arm's length transaction or the actual sale amount. Based on the lack of information regarding the circumstances surrounding the subject's sale, the Board finds the appellant did not demonstrate the subject's sale had the elements of an arm's length transaction and 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



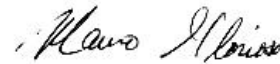
Member



Member



Acting Member



Member

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: February 19, 2016



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.