



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

APPELLANT: Kevin Vaez
DOCKET NO.: 11-23438.001-R-1
PARCEL NO.: 14-20-117-025-0000

The parties of record before the Property Tax Appeal Board are Kevin Vaez, the appellant(s), by attorney Stephanie Park, of Park & Longstreet, P.C. in Rolling Meadows; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$20,088
IMPR.: \$64,812
TOTAL: \$84,900

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 2011 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 a three-story, masonry, multi-family dwelling. Features of the subject include three apartments, a full basement, and a two-car garage. The property is located in Lake View Township, Cook County. The subject is classified as a class 2, residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellant raised two issues. First, the appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$849,000 as of October 15, 2011, while developing all three of the traditional approaches to value. In addition, the appraisal indicated that the subject property was tenant-occupied as of the appraisal date, while also indicating that the subject's improvement contained 4,032 square feet of living area with a building schematic submitted in support. Moreover, the appraisal indicated that the subject's land consisted of 3,750 square feet.

The second issue raised was equity. In support, the appellant submitted descriptive and assessment data on eight suggested comparables. Lastly, the appellant's pleadings requested a total assessment of \$59,391 for the subject.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$87,336. The subject's assessment reflects a market value of \$873,360 including land, when applying the 2011 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The board of review's analysis indicated that the subject's improvement contains 4,056 square feet, while the land area was 3,720 square feet.

As to the overvaluation issues, the board of review submitted descriptive, assessment and limited, raw sales data on four suggested comparables. As to the equity issue, the board of review submitted descriptive and assessment data on four suggested comparables.

In addition, the board of review submitted a motion to dismiss within its pleadings. The motion asserted that the appellant's appraisal should not be considered sufficient documentary evidence because the valuation date is prior to January 1, 2011.

In written rebuttal, the appellant asserted that unadjusted sales should be given no weight in comparison to the appellant's appraisal.

Conclusion of Law

Initially, the Board denies the board of review's motion to dismiss the appeal as the noted point relates to the weight accorded the evidence.

As to the equity issue, the taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 best evidence of assessment equity to be *appellant's comparables #1, #5, #6, and #7 as well as the board of review's comparables #1 and #4*. These six comparables had improvement assessments that ranged from \$9.69 to \$17.34 per square foot of living area. The subject's improvement assessment of \$16.68 per square foot of living area using 4,032 square feet that falls within the range established by the best comparables in this record.

Further, 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 building size, land size, and market value to be the appraisal submitted by the appellant. The Board finds the tenant-occupied, subject property had a market value of \$849,000 as of the assessment date at issue. Since market value has been established, the 2011 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2).

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



Acting Member

DISSENTING: _____

CERTIFICATION

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 24, 2017



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.