



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

APPELLANT: Gueorgui Gueorguiev
DOCKET NO.: 11-26187.001-R-1
PARCEL NO.: 18-33-418-017-0000

The parties of record before the Property Tax Appeal Board are Gueorgui Gueorguiev, the appellant, by attorney Christopher G. Walsh, Jr. 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: \$4,436
IMPR.: \$44,629
TOTAL: \$49,065

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) disputing 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 is improved with a two-story dwelling of frame and masonry construction with 3,433 square feet of living area. The dwelling is approximately 6 years old. Features of the home include a full basement finished with a recreation room, central air conditioning, one fireplace and a three-car garage. The property has a 11,091 square foot site and is located in Willow Springs, Lyons Township, Cook County. The

subject is classified as a class 2-78 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 February 25, 2009 for a price of \$290,000 or \$84.47 per square foot of living area, including land. The appellant indicated the seller was Wells Fargo Bank and the property was sold in settlement of a foreclosure. Based on this evidence, the appellant requested the subject's assessment be reduced to \$29,000 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 \$49,065. The subject's assessment reflects a market value of \$490,650 or \$142.92 per square foot of living area, land included, when using the level of assessments for class 2-78 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 comparable sales improved with two-story single family dwellings that ranged in size from 3,194 to 3,544 square feet of living area. The dwellings ranged in age from 3 to 14 years old and had similar features as the subject property. The sales occurred from March 2009 to May 2011 for prices ranging from \$500,000 to \$1,200,000 or from \$156.54 to \$338.60 per square foot of living area, including land.

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 appellant stated on the appeal that the subject property was purchased in February 2009 for a price of \$290,000 or \$84.47 per square foot of living area, including land. Initially, the Board finds the sale of the subject occurred almost two years

prior to the assessment date at issue which detracts from the weight that can be given the purchase price. Second, the appellant did not fully complete Section IV - Recent Sale Data of the appeal by failing to disclose whether or not the property was exposed on the open market and did not disclose how long the property was exposed on the market prior to the purchase, if at all. The appellant did indicate the property was sold by Wells Fargo Bank out of foreclosure, which also calls into question the arm's length nature of the sale. Additionally, the appellant failed to provide a copy of the real estate sales contract; did not provide a copy of the closing statement; and provided no documents, such as the Multiple Listing Service listing sheet, demonstrating the manner in which the property was exposed on the open market. The appellant did provide an affidavit with conclusory statements with no underlying facts. The affidavit failed to identify the broker that he utilized; failed to identify the listing realtor; failed to identify the seller, failed to state how long the property was on the market, failed to indicate the listing price; and provided no statement of facts regarding the negotiations between the seller and the buyer. The appellant did, however, submit a copy of the PTAX-203 Illinois Real Estate Transfer Declaration that indicated the property was advertised for sale. Nevertheless, in addition to finding the sale of the subject to be dated, the Board finds the appellant failed to demonstrate the sale had the elements of an arm's length transaction.

The board of review submitted information on four comparable sales that had varying degrees of similarity to the subject property. The Board gave less weight to board of review sales #3 and #4 due to the fact these properties sold in March 2009 and May 2009, not proximate in time to the assessment date at issue. The two remaining sales sold in March 2011 and May 2011, proximate in time to the assessment date at issue, for prices of \$1,200,000 and \$500,000 or for \$156.54 and \$338.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$490,650 or \$142.92 per square foot of living area, including land, which is below that established by these two comparable sales presented by the board of review. The subject's purchase price of \$290,000 or \$84.47 per square foot of living area is also significantly below the range established by all the sales provided by the board of review, which supports the conclusion that the purchase price is not indicative of fair cash value. 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

K. L. Fen

Member

[Signature]

Member

Mark Albino

Member

Jerry White

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

[Signature]

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.