



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

APPELLANT: Jasek Miroslav and Michaela Manova
DOCKET NO.: 11-29670.001-R-1 through 11-29670.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Jasek Miroslav and Michaela Manova, the appellants, by attorney William I. Sandrick, of Sandrick Law Firm LLC in South Holland; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
11-29670.001-R-1	17-32-403-045-1001	6,109	28,891	\$35,000
11-29670.002-R-1	17-32-403-045-1003	2,186	14,896	\$17,082
11-29670.003-R-1	17-32-403-045-1004	2,370	15,661	\$18,031

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 of one commercial condominium unit and two residential condominium units contained in a four year-old, four-story mixed-use building of masonry construction. Each unit is designated by its own property index number (PIN): the commercial unit is PIN 1001, and the two residential units are PIN 1003 and PIN 1004. The commercial unit, PIN 1001, is on the first floor and contains 1,828 square feet of interior area. Features of the commercial unit include central air conditioning, an open retail display area, various storage rooms and a

washroom. It is a Class 5-99 property under the Cook County Real Property Assessment Classification Ordinance. The residential units, PIN 1003 and PIN 1004, are on the third and fourth floors respectively. The units have identical layouts. Features of each of the residential units include central air conditioning, front and rear balconies and a one-car parking space. Each of the residential units is a Class 2-99 property under the Cook County Real Property Assessment Classification Ordinance. The property has a 3,675 square foot site and is located in South Chicago Township, Cook County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted an appraisal for the commercial unit and a separate appraisal for the two residential units. The appraisal for the commercial unit estimated it had a market value of \$140,000 as of January 1, 2012. The appellants submitted a letter from the appraiser stating the appraiser's conclusion of value would be the same as of January 1, 2011. The appraiser applied the sales comparison approach only to his analysis based on eight suggested closed sales comparables of commercial condominium units. The appraisal for the two residential units estimated that PIN 1003 had a market value of \$180,000 as of January 1, 2012, and that PIN 1004 had a market value of \$190,000 as of January 1, 2012. The appellants submitted a letter from the appraiser stating the appraiser's conclusion of value for each residential unit would be the same as of January 1, 2011. The appraiser applied the sales comparison approach to his analysis based on seven suggested closed sales comparables of residential condominium units.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$103,022. The total assessed value of the commercial unit (PIN 1001) was \$45,181, which reflects a market value of \$180,724 when applying the 2011 level of assessment of 25.00% for Class 5 property as determined by the Cook County Real Property Assessment Classification Ordinance. The total assessed value of the residential unit designated PIN 1003 was \$27,754, which reflects a market value of \$292,455 when applying the 2011 three-year average median level of assessment of 9.49% for Class 2 property as determined by the Illinois Department of Revenue (86 Ill.Admin.Code §1910.50(c)(2)). The total assessed value of the residential unit designated PIN 1004 was \$30,087, which reflects a market value of \$317,039 when applying the 2011 three-year average median level of assessment of 9.49% for Class 2 property as determined by the Illinois Department of Revenue (86 Ill.Admin.Code §1910.50(c)(2)).

In support of its contention of the correct assessment, the board of review submitted information on five raw, unadjusted suggested sales comparables of mixed-use properties containing both commercial and residential units.

Conclusion of Law

The appellants contend 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 appellants 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 appraisals submitted by the appellants. The Board finds the commercial unit designated PIN 1001 of the subject property had a market value of \$140,000 as of the assessment date at issue. Since market value has been established, the 2011 level of assessment of 25.00% for the commercial unit designated PIN 1001 Class 5 property as determined by the Cook County Real Property Assessment Classification Ordinance shall apply. The Board finds the residential unit designated PIN 1003 of the subject property had a market value of \$180,000 as of the assessment date at issue. The Board finds the residential unit designated PIN 1004 of the subject property had a market value of \$190,000 as of the assessment date at issue. Since market value has been established, the 2011 three-year average median level of assessment of 9.49% for residential units PIN 1003 and PIN 1004 Class 2 properties as determined by the Illinois Department of Revenue 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



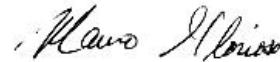
Member



Member



Member



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: March 18, 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.