



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

APPELLANT: Garrett Cahill
DOCKET NO.: 11-30393.001-R-1
PARCEL NO.: 16-24-309-003-0000

The parties of record before the Property Tax Appeal Board are Garrett Cahill, the appellant, by attorney John P. Brady of Thomas M. Tully & Associates 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: \$4,412
IMPR.: \$19,492
TOTAL: \$23,904**

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 of a three-story, three-unit apartment building of masonry construction with 4,641 square feet of building area. The building is approximately 106 years

old and has a full unfinished basement. The property has a 3,152 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-11 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 on February 19, 2010 for a price of \$139,000. The appellant partially completed Section IV - Recent Sale Data of the residential appeal form and disclosed the subject's sale was sold by a Realtor from Chicago Realty Consultants, the property was advertised for sale utilizing the multiple listing service and the seller's mortgage was not assumed. The appellant did not answer questions that asked if the sale was a transfer between related parties and how long the property was advertised for sale. 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 \$23,904. The subject's assessment reflects a market value of \$239,040 or \$51.51 per square foot of building area, land included, when applying the 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 four equity comparables and four sale comparables. The sale comparables sold from February to December 2010 for prices that ranged from \$149,000 to \$325,000 or from \$45.36 to \$96.04 per square foot of building area, land included.

In addition, Roland Lara, a board of review analyst, submitted a brief challenging the arm's length nature of the subject's sale. The board of review analyst submitted evidence that indicated the February 2010 sale of the subject property was compulsory due to a pending foreclosure. This evidence consisted of a print-out from the Cook County Recorder of Deeds' website. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 gives little weight to the February 2010 sale of the subject property because the appellant submitted limited evidence and failed to disclose if the sale was a transfer between related parties and how long the property had been exposed to the open market. Furthermore, the board of review challenged the arm's length nature of the subject's transaction which was not refuted by the appellant.

The Board finds the best evidence of market value in the record to be comparable sales #2, #3 and #4 submitted by the board of review. The comparables were similar to the subject in most characteristics. The comparables sold from February to November 2010 for prices that ranged from \$45.36 to \$96.04 per square foot of building area, land included. The subject's assessment reflects a market value of \$51.51 per square foot of living area, including land which is within the range established by the best comparable sales in this record. The Board finds the appellant failed to demonstrate the sale had the elements of an arm's-length transaction. The Board also finds the appellant failed to submit sufficient evidence to call into question the correctness of the assessment (Sec 86 Ill.Admin.Code §1910.63(b)). Based on the evidence contained in this record, the Board finds the appellant has not shown by a preponderance of the evidence that the subject is overvalued and no change in the assessment is 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

Klaus Albino

Member

[Signature]

Member

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: July 24, 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.