



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

APPELLANT: Ronald Shropshire
DOCKET NO.: 11-31275.001-R-1
PARCEL NO.: 32-08-200-009-1055

The parties of record before the Property Tax Appeal Board are Ronald Shropshire, the appellant, 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 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: \$876
IMPR: \$6,596
TOTAL: \$7,472

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 residential condominium unit located at 1100 West Holbrook Road, Unit 3N5, Homewood, Bloom Township, Cook County. The subject is classified as a class 2-99 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 limited evidence disclosing the subject property was purchased on July 21, 2009 for a price of \$65,000. The appellant submitted a copy of the settlement statement to document the transaction but did not complete Section IV of the residential appeal form. Based upon

this evidence, the appellant requested a reduction in the subject's assessment to \$6,500 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 \$7,472. The subject's assessment reflects a market value of \$74,720 when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted an explanation outlining the method of assessing the subject condominium unit. The evidence indicates the condominium building has 60 condominium units and its estimated market value was derived from the sale of two units. These sales occurred in August 2009 and April 2010 for prices of \$89,000 and \$94,500. These sales totaled \$183,500. The personal property of the condominiums that sold was estimated to be 2% or \$3,670. The sale prices less personal property (\$179,830) was divided by the sale units' total ownership percentage (3.3396%) to arrive at the condominium building's estimated market value of \$5,384,776. The subject's market value was based on its pro rata share of ownership (1.6698%) or \$89,910.

In addition, Nicholas Jordan, 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 July 2009 sale of the subject property was compulsory in lieu of foreclosure. This evidence consisted of a printout from the Cook County Recorder of Deeds' website and a notice of foreclosure from the Cook County Circuit Court. The board of review also submitted a copy of the Illinois Real Estate Transfer Declaration (PTAX-203) for the subject's sale. 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 appellant stated the subject was purchased in July 2009 for a price of \$65,000; however, the appellant was not able to establish that the subject's sale was actually an arm's length transaction. The appellant did not provide any information in Section IV - Recent Sale Data of the residential appeal form. The appellant failed to indicate whether or not the parties were

related; how long the property was exposed to the market; and whether the sale was the result of a foreclosure due to the settlement statement identifying the U.S. Department of Housing and Urban Development as the seller. 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, due to the lack of data, the appellant failed to provide sufficient evidence to challenge the correctness of the assessment so as to shift the burden of proof to the Cook County Board of Review. (86 Ill.Admin.Code §1910.63(a)&(b)).

The Board takes notice that one of the condominium sales presented by the board of review sold more proximate to the assessment date than the July 2009 sale of the subject property. The condominium unit with the parcel index number ending in 1035 sold in April 2010 for a price of \$94,500. This sale price undermines the appellant's claim that the subject's sale was reflective of market value.

Based upon the evidence in the record, the Board finds a reduction in the subject's assessment is not warranted.

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.

Mario Alvares

Chairman

K. L. Ferr

Member

JR

Member

Jerry White

Acting Member

Robert Hoffmann

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: April 22, 2016

A. Heston

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.