



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

APPELLANT: Brian Passmore  
DOCKET NO.: 12-25251.001-R-1  
PARCEL NO.: 20-03-426-030-0000

The parties of record before the Property Tax Appeal Board are Brian Passmore, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, P.C. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:** \$3,810  
**IMPR.:** \$10,819  
**TOTAL:** \$14,629

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 2012 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 two-story, multi-family dwelling of masonry construction. The dwelling is an apartment building that is approximately 124 years old and has 2,254 square feet of living area. Features of the building include two apartment units and a full unfinished basement. The property has a 3,175 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on six comparable sales that sold from June 2009 to November 2011 for prices that ranged from \$23,000 to \$192,500 or from \$7.93 to \$49.36 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$14,629. The subject's assessment reflects a market value of \$146,290 or \$64.90 per square foot of living area, including land, 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 information on four comparable sales that sold from September 2010 to May 2011 for prices that ranged from \$187,500 to \$328,000 or for \$78.85 to \$129.55 per square foot of living area, land included.

### **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 parties submitted information on a total of ten comparable sales. Based on a map provided by the appellant, the appellant's six comparable sales were not located near the subject property. Furthermore, the appellant did not fully complete section V – Comparable Sales Grid Analysis of the residential appeal form. The appellant failed to identify the comparables' classification codes, proximity to the subject, story height, exterior construction, and features like foundation and garages, if any. The appellant also submitted evidence that raised questions regarding the comparables' unusually low sale prices. The appellant submitted sales data sheets with photographs for the six comparables. Based on these photographs, comparable #4 appears to be a boarded-up property. The appellant's evidence also indicates the comparable sales were the result of foreclosures due to the sales data sheets identifying five of the sellers as financial entities.<sup>1</sup> The sales data sheets also revealed that only two of the sales (#3 and #6) had a listing broker, thus indicating the other four sales may not have been exposed on the open market. Consequently, the appellant's market evidence received little weight in the Board's analysis. Board of review comparable #1 differed considerably from the subject in age, and comparable #3 was a three-story building, not two-story like the subject. As a result, these two comparable sales also received reduced weight in the Board's analysis.

The Board finds the best evidence of market value to be board of review comparable sales #2 and #4. These comparables were similar to the subject in nearly every characteristic, and they sold proximate to the assessment date. Comparables #2 and #4 sold in April 2011 and January 2011 for prices of \$129.55 and \$78.85 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$64.90 per square foot of living area, including land, which is below the market value of the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment is not justified.

---

<sup>1</sup> Bridgeview Bank for Comparable #1; Federal Home Loan Mortgage Corporation for Comparable #3; Aurora Loan Services for Comparable #4; Bank of New York for Comparable #5; and U.S. Bank for Comparable #6.

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

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: June 24, 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.