



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

APPELLANT: Chicago Opportunity 5 LLC
DOCKET NO.: 12-25280.001-R-1
PARCEL NO.: 25-33-116-064-0000

The parties of record before the Property Tax Appeal Board are Chicago Opportunity 5 LLC, the appellant, by attorney Stephanie Park, of Park & Longstreet, P.C. in Rolling Meadows; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:

LAND: \$2,193
IMPR.: \$2,007
TOTAL: \$4,200

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 one-story dwelling of frame and masonry construction with 1,091 square feet of living area. The dwelling is approximately 62 years old. Features of the home include a full finished basement and a two-car garage. The property has a 4,875 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-03 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 March 20, 2012, for a price of \$42,000 and the property had been advertised for sale as set forth in Section IV-Recent Sale Data of the appeal petition. To document the sale the appellant submitted a copy of the Warranty Deed.

The appellant also submitted four sales comparables located within the same neighborhood assessment code as the subject property. The comparables consists of one-story dwellings of frame or masonry exterior construction that range in age from 58 to 65 years old. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,020 to 1,178 square feet of living area and are situated on sites ranging in size from 3,690 to 8,474 square feet of land area. These comparables sold in August 2010 and March 2011 for prices ranging from \$27,000 to \$40,000 or from \$24.19 to \$35.19 per square foot of living area including land. Based on this evidence, the appellant requested the total assessment be reduced to \$2,639.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,608. The subject's assessment reflects a market value of \$86,080 or \$78.90 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. In support of the subject's assessment, the board of review submitted information on four comparables located within the same block or .25 of a mile from the subject property. The comparables consists of one-story dwellings of masonry or frame and masonry exterior construction that are 61 or 63 years old. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,003 to 1,211 square feet of living area and are situated on sites ranging in size from 4,750 to 5,557 square feet of land area. These comparables sold from January 2009 to November 2010 for prices ranging from \$90,000 to \$157,000 or from \$89.73 to \$142.21 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant asserted the board of review did not dispute the arm's length purchase of the subject.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted seven comparable sales for the Board's consideration. The board gave less weight to the board of review's comparables due to their older sale dates in relation to the January 1, 2012, assessment date. The Board finds the best evidence of market value to be the purchase of the subject property in March 2012 for a price of \$42,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, and that the property had been advertised through the Multiple Listing Service for 30 days. In further support of the transaction the appellant submitted a copy of the Warranty Deed. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length

nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record the Board finds the appellant did demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's 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



Member



Member



Member



Acting 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: January 27, 2017



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.