



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

APPELLANT: Jeffrey Betman  
DOCKET NO.: 12-28564.001-R-1  
PARCEL NO.: 13-22-409-031-0000

The parties of record before the Property Tax Appeal Board are Jeffrey Betman, the appellant, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher 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:** \$4,536  
**IMPR.:** \$15,694  
**TOTAL:** \$20,230

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 and one-half story dwelling of stucco construction. The dwelling is approximately 90 years old and has 1,006 square feet of living area. Features of the home include a full unfinished basement and a two-car garage. The property has a 3,780 square foot site and is located in Chicago, Jefferson 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 limited evidence disclosing the subject property was purchased on May 25, 2011 for a price of \$100,000 or \$99.40 per square foot of living area, land included. The appellant submitted a copy of the closing statement but did not complete Section IV – Recent Sale Data of the appeal form. The closing statement identified the seller as FE Development III, LLC and the buyer as Chicago Title Land Trust Company. In the appeal form, the appellant stated the

subject's sale was not a transfer between related parties. 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 \$20,230. The subject's assessment reflects a market value of \$202,300 or \$201.09 per square foot of living area, land included, 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 July to September 2011 for prices that ranged from \$255,000 to \$322,000 or from \$201.74 to \$274.51 per square foot of living area, land included. The board of review also presented a supplemental brief challenging the arm's length status of the subject's sale. In the brief, a board of review analyst stated the subject's sale was compulsory due to a foreclosure. In support of this claim, the board of review produced copies of print-outs from the Cook County Recorder of Deeds' office; a notice of foreclosure from the Cook County Circuit Court; the special warranty deed; the Illinois Real Estate Transfer Declaration (PTAX-203); and data sheets from Redfin.com.

### **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 finds the record disclosed the subject property sold in May 2011 for a price of \$100,000 or \$99.40 per square foot of living area, land included. The record also disclosed that board of review comparable sales #1 through #3 sold in July and August 2011 for prices that ranged from \$278,000 to \$322,000 or from \$213.85 to \$274.51 per square foot of living area, land included, respectively. These comparables sold proximate to the assessment date and were similar to the subject in neighborhood and classification codes, age, living area and foundation.

The Board gives less weight to the subject's sale because the appellant failed to demonstrate that the sale had all the necessary elements of an arm's length transaction. The Board also finds the board of review challenged the arm's length nature of the subject's sale which was not refuted by the appellant. The appellant submitted a copy of the closing statement but did not complete Section IV – Recent Sale Data of the residential appeal form. The appellant did not answer questions that asked if the property was sold by a realtor, if the property had been advertised for sale, and if the property sold in settlement of a foreclosure due to the closing statement identifying Chicago Title Land Trust Company as the buyer of the subject property. The Board finds the only evidence of the subject's market exposure was provided by the board of review when they submitted copies of the transfer tax declaration and data sheets from Redfin.com. These documents revealed the subject had been advertised for sale but did not disclose the amount of time the property had been exposed to the market.

As a result, the Board finds the evidence in the record called into question whether the subject's May 2011 sale accurately reflected its fair cash value. The subject's assessment reflects a market

value of \$201.09 per square foot of living area, including land, which is below the market value of board of review comparables #1 through #3. The subject's purchase price of \$100,000 or \$99.40 per square foot of living area, land included, is also significantly below the market value of board of review comparables #1 through #3 and supports the conclusion that the subject's purchase price is not indicative of its fair cash value. Based on this record, the Board finds a reduction in the subject's assessment is not 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.



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Chairman



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Member

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Member



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Member

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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



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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.