



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

APPELLANT: Haris Zec
DOCKET NO.: 12-29875.001-R-1
PARCEL NO.: 10-15-300-059-0000

The parties of record before the Property Tax Appeal Board are Haris Zec, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC 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: \$3,450
IMPR.: \$34,504
TOTAL: \$37,954

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 with 3,024 square feet of living area. The dwelling is 54 years old. Features of the home include a full unfinished basement and central air conditioning. The property has a 4,600 square foot site and is located in Skokie, Niles Township, Cook County. The subject is classified as a class 2-11 apartment building 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 December 6, 2009 for a price of \$300,100.¹ The appellant's evidence included the sale contract for the subject

¹ The appellant's attorney submitted a brief noting the subject's date of sale as February 19, 2010, however, no other support for this sale date was included with the appeal.

property. 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 \$37,954. The subject's assessment reflects a market value of \$379,540 or \$125.51 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 its contention of the correct assessment the board of review submitted information on three comparable sales that occurred from January 2010 to November 2012 for prices ranging from \$376,500 to \$430,000 or from \$101.16 to \$122.93 per square foot of living area, including land. The board of review's grid analysis included the subject's sale as occurring in December 2009 for a price of \$300,500. Based on this evidence the board of review requested confirmation of the subject's assessment.

The appellant submitted a rebuttal brief critiquing the board of review's submission.

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 argued the subject property was overvalued based on the subject's sale in December 2009 for \$300,100. The Board finds the appellant failed to complete Section IV - Recent Sale Data of the appeal, which would have disclosed whether the parties to the transaction were related or not, whether the property was sold using a Realtor, how the property had been advertised on the open market and the length of time it had been on the market. The appellant submitted a copy of the sales contract, however, this document does not reveal the pertinent information required to support whether the subject's sale was an arm's-length transaction or not. In addition, the subject's purported 2009 sale date occurred greater than 24 months prior to the January 1, 2012 assessment date at issue. Due to the lack of information regarding the subject's sale and the sale date occurring 24 months prior to the assessment date at issue, the Board has given the subject's sale little weight.

The Board finds the best evidence of market value in the record to be the board of review's comparable sales #2 and #3. These comparables were similar to the subject in location, style, construction, features and age. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices of \$376,500 and \$390,000 or \$101.16 and \$120.63 per square foot of living area including land, respectively. The subject's assessment reflects a market value of \$379,540 or \$125.51 per square foot of living area, including land, which is supported by the total market values of the best sales in this record and slightly above the values on a per square foot basis. Accepted real estate valuation theory provides, all other

factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher per square foot improvement assessment is well justified given its smaller size. Therefore, no reduction in the subject's improvement assessment is 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.



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: December 23, 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.