



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

APPELLANT: Elias Sanchez
DOCKET NO.: 12-31335.001-R-1
PARCEL NO.: 13-14-207-005-0000

The parties of record before the Property Tax Appeal Board are Elias Sanchez, the appellant(s), by attorney Edward P. Larkin, Attorney at Law in Des Plaines; 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: \$10,152
IMPR.: \$18,730
TOTAL: \$28,882

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 frame construction with 1,936 square feet of living area. Features of the home include a slab basement, two baths, and a three-car garage. The dwelling was constructed in 1908 and is located in Chicago, Jefferson Township, Cook County. The property is a class 2-11 per the Cook County Real Property Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted evidence showing that the subject sold on March 22, 2011 for \$85,000. This evidence included copies of the settlement statement. Appellant's appeal requests a 5% deduction for personal property. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$26,182. The subject's assessment reflects a market value of \$261,820 when applying a 10% level of assessment as determined by the Cook County Classification Ordinance. In support of the assessment, the board of review submitted a grid listing four equity comparables and confirmed the sale of the subject in 2011 for \$85,000.

At hearing, the appellant's attorney, Mr. Ed Larkin, confirmed that the sale of the subject was not a foreclosure and occurred on March 22, 2011. No evidence was presented regarding supporting a personal property deduction. The board of review analyst, Mr. Katherine Latuszek, testified that the settlement statement does not include any broker fees and thus, the subject's sale is not at fair cash value. The board of review submitted the assessor's printout marked as Exhibit A confirming that after the March 2011 sale the subject's class was changed from a 2-05 to a 2-11 and a building permit was issued.

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 that the sale of the subject in March 2011 does not have the elements of an arm's length transaction. The settlement statement and testimony confirm that no real estate brokers were involved and that the subject was not advertised or exposed for sale on the open market. In addition, the appellant failed to answer Section IV-Recent Sale Data regarding the circumstances surrounding the sale of the subject, such as whether the subject was advertised for sale, the sale is between family or related corporations, and advertised for sale. Without this information, the Board is unable to determine whether the sale of the subject reflected its fair cash value. The Board finds that the subject's sale is not an arm's length transaction reflective of fair cash value. Therefore, the Board finds that the appellant has not met the burden of providing by a preponderance of the evidence that the subject is overvalued and a no change in the 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



Acting 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: _____

May 19, 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.