



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

APPELLANT: Matthew Janko  
DOCKET NO.: 12-34476.001-R-1  
PARCEL NO.: 16-21-212-018-0000

The parties of record before the Property Tax Appeal Board are Matthew Janko, the appellant(s), 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 **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:** \$2,205  
**IMPR.:** \$8,939  
**TOTAL:** \$11,144

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 3,150 square foot parcel of land improved with a 103-year old, two-story, frame, multi-family dwelling containing 3,562 square feet of building area. The property is located in Cicero Township, Cook County and is a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant submitted a direct appeal within 30 days of the 2011 Property Tax Appeal Board decision. The appellant's appeal is based on overvaluation. In support of the overvaluation argument the appellant submitted evidence disclosing the subject property was purchased in October 2011 for a price of \$115,000. The appellant requested the median level of assessment based on the sales price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$11,500. The subject's assessment reflects a market value of \$118,769 using the Illinois Department of Revenue's 2012 three-year median level of assessment for class 2 property of 9.69%.

In support of the assessment, the board of review submitted information on four sales comparables. In addition, the board of review submitted a brief asserting that the subject property does not qualify for the 2011 decision to be carried forward to the 2012 assessment year as allowed under 35 ILCS 200/16-185.

### **Conclusion of Law**

The Board finds that the appellant timely filed a direct appeal under 35 ILCS 200/16-185. Although the appellant included a copy of the 2011 decision and requested amount is consistent with the 2011 decision, the appellant did not ask for the 2011 decision to be carried forward to the 2012 assessment year. The appellant submitted the same evidence in 2012 that was submitted in the 2011 appeal.

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 best evidence of market value to be the purchase of the subject property in October 2011 for a price of \$115,000. The appellant provided evidence demonstrating the sale of the subject and the board of review did not refute the arm's length nature of the sale. Therefore, the Board finds the subject had a market value of \$115,000. Since the market value of this parcel has been established, the Illinois Department of Revenue's 2012 three-year median level of assessment for Class 2 property of 9.69% will apply and a reduction 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: September 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.