



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

APPELLANT: Anastasios Panagiotopoulos
DOCKET NO.: 13-20613.001-R-1
PARCEL NO.: 23-30-204-014-0000

The parties of record before the Property Tax Appeal Board are Anastasios Panagiotopoulos, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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: \$ 9,419
IMPR.: \$ 202,297
TOTAL: \$ 211,716

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 2013 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 is four years old, and consists of a two-story dwelling of masonry construction containing 6,703 square feet of living area. Features of the home include a full finished basement, central air conditioning, two fireplaces and

a four-car garage. The subject property has a 41,863 square foot site, is located in Palos Township, Cook County and is classified as a Class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. In support of these arguments, the appellant submitted information on four suggested equity comparables with sales data on two comparables. Comparables #1, #2, and #3 disclosed property characteristics, addresses and proximity to the subject, with information on the land, improvement and total assessments. Comparable #4 did not disclose information on the number of dwellings on the property, age, number of bathrooms, air conditioning, fireplaces, garage space, or living area square footage. Comparable #4 also did not disclose land, improvement, or total assessment information. Comparables #3 and #4 disclosed sale prices of \$1,385,000 and \$1,175,000 respectively, but not the dates of sale.

In his rebuttal brief, the appellant reaffirmed the request for an assessment reduction, and provided a print-out from the Cook County Assessor's website disclosing the assessment for 2014 was lower than the assessment for the 2013 tax lien year at issue in this appeal.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$211,716. The subject property has an improvement assessment of \$202,297 or \$30.18 per square foot of living area. The subject's assessment reflects a market value of \$2,117,160 or \$315.85 per square foot of living area, including land, when applying the Cook County Assessor's level of assessment of 10% for Class 2 property 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 suggested equity comparables. These comparables had improvements that ranged from 6,217 to 6,933 square feet of living area and assessments that ranged from \$30.57 to \$31.62 per square foot of living area. Two of these comparables were located on the same block as the subject; two others were within ¼ mile. The features of these comparables were similar to those of the subject.

At hearing, the appellant reaffirmed that the subject property lacked uniformity and was overvalued. He testified that the

assessment for 2014 was lower than the 2013 tax lien year at issue, and argued, therefore, that the same assessment level should be applied to 2013.

Regarding the lack of uniformity argument, the board of review testified that the appellant's equity comparables #1 and #3 had an assessed valuation per square foot lower than the assessed valuation per square foot of the subject. As to the overvaluation argument, the board of review testified the market value per square foot of the subject was lower than the market value per square foot of the appellant's comparable #3.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 best evidence of assessment equity to be the board of review's comparables #1, #2, #3, and #4. These comparables had improvement assessments that ranged from \$30.57 to \$31.62 per square foot of living area. The subject's improvement assessment of \$30.18 per square foot of living area falls below the range established by the best comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and holds that a reduction in the subject's assessment is not justified.

As to the second issue, 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's overvaluation argument is unpersuasive. The Board finds that the appellant's comparable #4 has limited descriptive and sales data, thereby inhibiting comparability. The appellant's other sale, comparable #3, sold for \$1,385,000, or \$317.44 per square foot of living area including land. However, the subject had a market value of \$2,117,160 when using the Cook County Assessor's level of 10% under the Cook County Real Property Assessment Classification Ordinance, with a value of \$315.99 per square foot of living area including land, which is below the value of the appellant's comparable #3.

As to the appellant's argument that the 2013 assessment should be reduced because the assessment was lower in the subsequent tax lien year 2014, the Board finds this argument is unpersuasive. A reduction of an assessment in one year does not warrant a reduction in a prior year, as factors warranting a reduction in any particular year do not mean they existed in a prior year. Moroney v. Illinois Property Tax Appeal Board, 2013 Ill.App. (1st) 120493, 2 N.E. 3d 552.

Based on this evidence, the Board finds the subject was not overvalued and holds 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.

Chairman

Mark Albino

Member

[Signature]

Member

Member

Jerry White

Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

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: July 24, 2015

[Signature]

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.