



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

APPELLANT: Barrett Homes LLC  
DOCKET NO.: 13-24441.001-R-1  
PARCEL NO.: 14-29-102-012-0000

The parties of record before the Property Tax Appeal Board are Barrett Homes LLC, the appellant(s), by attorney George Michael Keane, Jr., of Keane and Keane 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:** \$33,984  
**IMPR.:** \$ 262  
**TOTAL:** \$34,246

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 consists of 3,125 square feet parcel of commercial land located in Lake View Township, Cook County. The subject is classified as a class 5-90 property under the Cook County Real Property Assessment 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 June 4, 2012 for \$225,000. In addition, the appellant confirmed in Section IV of the appeal the subject's sale date, price, that the transfer was not between related parties, and no details regarding the arm's length nature of the sale. Further evidence included a copy of the escrow trust disbursement statement dated June 4, 2012 and a copy of the Cook County Recorder of Deeds printout confirming the sale. The appellant's attorney also included a brief outlining his argument, an owner's affidavit stating the property was purchased for residential development, a building permit dated April 17, 2013 for

wreck and removal of a one-story commercial building, a contractor's invoice, an undated copy of a photo of a building, and a copy of the escrow trust disbursement statement dated December 26, 2012 for a property with a sale price of \$244,500. 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 \$34,246. The subject's assessment reflects a market value of \$136,984 or \$68.49 per square foot of land, when applying the level of assessment for class 5 properties of 25.00% as determined by the Cook County classification ordinance. In support of its contention of the correct assessment the board of review submitted information on six sale comparables. Seven comparables were submitted but comparable #3 is the subject property.

At hearing the appellant's attorney requested that the Board reclassify the subject from a commercial property to a residential property. The appellant also submitted rebuttal brief.

### **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 attorney's brief asks the Board to draw "a reasonable inference" from his alleged facts without documentation. The appellant submitted no residential land comparables, insufficient information regarding the arm's length nature of the subject's sale, no building permit or other evidence showing the property built is residential. The undated photograph of a building is insufficient.

Therefore, the Board finds the best evidence of market value to be the board of review's comparable sales #2, #4, and #5. These comparables sold from March 2011 to September 2013 for prices ranging from \$104.58 to \$151.03 per square foot of land. The subject's assessment reflects a market value of \$73.79 per square foot of land, which is below the range established by the best comparable sales in this record. Based on this evidence 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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Acting Member



Member



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 22, 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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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