



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

APPELLANT: Ommid Farashahi
DOCKET NO.: 13-24564.001-R-1
PARCEL NO.: 05-20-220-022-0000

The parties of record before the Property Tax Appeal Board are Ommid Farashahi, the appellant(s), by attorney Christopher G. Walsh, Jr., Attorney at Law 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: \$ 12,388
IMPR.: \$ 96,625
TOTAL: \$109,013

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 a two-story dwelling of masonry construction with 3,638 square feet of living area. The dwelling is four years old. Features of the home include a basement, central air conditioning, three fireplaces and a two-car garage. The property has a 9,350 square foot site and is located in New Trier Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment equity and overvaluation as the bases of the appeal. In support of the overvaluation argument the appellant submitted information on the cost to construct the subject dwelling. The appellant indicated he purchased the subject property in 2010 and then completed the construction of the subject dwelling for a total cost of \$957,820. In support of the equity argument, the appellant submitted four comparables.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$109,013. The subject's assessment reflects a market value of \$1,090,130 or \$299.65 per square foot of living area, including land, when applying the 2013 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject's improvement assessment is \$96,625, or \$26.56 per square foot of living area. In support the subject's assessment, the board of review submitted evidence on four equity comparables. In addition, the board's evidence indicates the subject was purchased in 2010 for a price of \$525,000 and that comparable #2 sold in July 2010 for a price of \$1,355,000 or \$396.20 per square foot of living area including land.

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.

The Board finds the appellant submitted evidence that the subject's construction cost \$957,820. The appellant did not submit evidence regarding the market value of the subject's land. The subject's current assessment of \$96,625 is 10.09% of this amount. The Board finds that after adjusting the subject's market value to account for the time between the subject's construction and the lien date at issue, the Board finds the subject's improvement assessment is justified. The Board also finds that as the appellant did not submit evidence regarding the market value of the subject's land, the appellant did not meet the burden of providing by a preponderance of the evidence that the subject is overvalued. In addition, the Board finds that the subject's assessment reflects a market value of \$299.65 per square foot of living area including land which is below the only comparable sale in the record (board of review's comparable #2) which sold in 2010 for a price of \$396.20. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

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 appellant's comparables #1 and #2 and the board of review's comparables #1 and #2. These comparables have improvement assessments that range from \$24.35 to \$29.00 per square foot of living area. The subject's improvement assessment of \$26.56 per square foot of living area falls within 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 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



Member



Acting 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: June 23, 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.