



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

APPELLANT: Patricia Lencioni
DOCKET NO.: 13-26531.001-R-1
PARCEL NO.: 09-24-100-021-0000

The parties of record before the Property Tax Appeal Board are Patricia Lencioni, the appellant, by attorney Michael Griffin, 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 **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: \$ 4,042
IMPR.: \$24,258
TOTAL: \$28,300

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 49-year old, two-story, residential dwelling of masonry construction with 2,841 square feet of living area. Features of the dwelling include: a full basement, two apartments, central air conditioning, four baths and a 2-car garage. The property has a 7,030 square foot site and is located in Maine Township, Cook County. The subject is classified as a class 2-11, residential, apartment building under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on two issues. In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased in June, 2013 for a price of \$283,000. The pleadings reflect that: the parties were unrelated; the property was advertised for sale on a multiple-listing service; the sale was a foreclosure; and a seller's

mortgage was not assumed. In support, the appellant submitted a copy of the real estate transfer declaration reflecting the above sales data, while also stating that the parties were represented by real estate agents. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price resulting in a total assessment of \$28,300.

In support of the appellant's second issue, equity, a grid sheet with descriptive and assessment data on four suggested comparables was submitted.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,878. The subject's assessment reflects a market value of \$378,780 or \$133.33 per square foot of living area, land included, when using the 10% level of assessment for class 2, residential property as determined by the Cook County Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted descriptive and assessment information on three suggested equity comparables.

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 *met* this burden of proof and a reduction in the subject's assessment *is* warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in June, 2013 for a price of \$283,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service. In further support of the transaction the appellant submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record, the Board finds the subject property had a market value of \$283,000 as of January 1, 2013. Since market value has been determined the 10% level of assessment as determined by the Cook County Classification Ordinance for class 2, residential property shall apply.

Since the Board determined that a reduction was merited based upon an overvaluation argument, the Board will not address the appellant's equity issue.

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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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



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: January 15, 2019



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Patricia Lencioni, by attorney:
Michael Griffin
Attorney at Law
PO Box 101082
Chicago, IL 60610

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602