



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

APPELLANT: Anthony Zenez
DOCKET NO.: 13-30525.001-R-1
PARCEL NO.: 12-23-200-021-0000

The parties of record before the Property Tax Appeal Board are Anthony Zenez, the appellant(s); 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: \$3,450
IMPR.: \$5,050
TOTAL: \$8,500

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 one and one-half story, single-family dwelling of frame construction with 748 square feet of living area. Features of the home include a crawl basement, air conditioning, and a one-car garage. The dwelling was constructed in 1960 and is located in Chicago, Jefferson Township, Cook County. The property is a class 2-02 per the Cook County Real Property Classification Code.

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 27, 2013 for \$82,000. This evidence included the escrow disbursement statement and MLS sheet. The appellant's pleadings regarding Section IV- Recent Sale Data confirmed the closing date, sale price, and that the parties to the transaction were not related and subject was listed by a realtor on the multiple listing service for three days. 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 \$15,482. The subject's assessment reflects a market value of \$154,820 when applying a 10% level of assessment as determined by the Cook County Classification Code. In support of the assessment, the board of review submitted four sale comparables.

In rebuttal, the appellant distinguished the board of review's evidence and confirmed that the sale of the subject was an arm's length transaction. The appellant's attorney also states that the board of review has not provided any evidence that the subject's sale price was not reflective of the market value.

At hearing the appellant, Mr. Anthony Zenez, confirmed that the list price of the subject was \$69,000 but he paid \$85,000 due to multiple offers on the subject. In addition, the appellant testified that the subject is in poor condition and needs multiple repairs including a new furnace, appliances, windows, siding, and garage. Appellant also stated that the only repairs completed were interior painting. Lastly, the appellant distinguished the subject's condition from the sale comparables.

The board of review analyst, Mr. Israel Smith reviewed the evidence previously submitted and confirmed that the subject's sale price was higher than the list price. Mr. Smith testified that the evidence indicates that the purchase price is below market value and an estate sale.

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 \$85,000. The sale is within six months of the 2013 lien date and the appellant provided evidence demonstrating the sale had the elements of arm's length transaction. The appellant's pleadings/evidence and testimony support the arm's-length nature of the transaction because the buyer and seller were not related and the subject was advertised for sale using realtors on the open market which resulted in multiple offers. In support of the transaction, copies of the escrow disbursement statement were also submitted. Lastly, the board of review failed to provide any substantial evidence to challenge the arm's length nature of the transaction.

Based on this record, the Board finds the subject property had a market value of \$85,000 as of January 1, 2013. Since market value has been determined, the level of assessments for class 2-02, residential property of 10% shall apply as determined by the Cook County Classification Code.

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: January 27, 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.