



A M E N D E D

FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Edgardo & Lucy Ignacio
DOCKET NO.: 13-30568.001-R-1
PARCEL NO.: 31-20-121-005-0000

The parties of record before the Property Tax Appeal Board are Edgardo & Lucy Ignacio, the appellant(s) by attorney Nancy Pina-Campos, Attorney at Law in Broadview; 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: \$4,013
IMPR.: \$20,487
TOTAL: \$24,500

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 10,702 square foot parcel of land improved with a seven-year old, two-story, masonry, single-family building containing 3,248 square feet of building area. The property is located in Rich Township, Cook County and is a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants' appeal is based on overvaluation. In support of the overvaluation argument the appellants submitted copies of the multiple-listing database printout (MLS) and the settlement statement disclosing that the property was purchased in October 2013 for a sale price of \$245,000. The appellant requested an assessment of 10% of the sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$29,640. The subject's assessment reflects a market value of \$296,400 using the Cook County Ordinance Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of the assessment the board of review submitted evidence on four sale comparables. The board of review also listed the sale of the subject in October 2013. The comparables sold from March 2010 to August 2013 for prices ranging from \$89.06 to \$111.21 per square foot of building area.

In written rebuttal, the appellant submitted a brief asserting that the board of review's evidence was insufficient.

As a preliminary matter at hearing, Ms. Pina-Campos asserted that she did not have the official authorization to represent the appellants in this matter, but that she spoke to the appellants and the document was in the mail. The Board gave the appellant several days to submit the authorization and it was timely received by the Board.

At hearing, the appellants argued that the sale of the subject is the best evidence of the subject's market value. The appellants called Mr. Rick Robin to testify. Mr. Robin testified he did not have any personal knowledge as to the subject's sale.

The board of review's representative, Roland Lara, argued that the settlement statement does not include information as to who the seller is in regards to the trust. He argued that the absence of the information shows the bank owned this property and that would make the sale a compulsory sale. He argued that the appellants failed to meet their burden. He testified that the board of review's evidence does list the sale, but does not make a claim that it is an arm's length transaction.

In rebuttal, the appellants' attorney reiterated that the sale of the subject supports a reduction and that the MLS shows that the subject was not a short sale or foreclosure 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 best evidence of market value to be the purchase of the subject property in October 2013 for a price of \$245,000. The Board finds that the evidence does not support that the subject was a compulsory sale, but that it was a trust and the settlement statement has two individual named signatories for the trust. The appellant provided evidence demonstrating the sale of the subject and the board of review did not refute the arm's length nature of the sale.

Therefore, the Board finds the subject had a market value of \$245,000. Since the market value of this parcel has been established, the Cook County Real Estate Classification Ordinance level of assessment for Class 2 property of 10% will apply and a reduction is warranted.

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: February 24, 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.