



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

APPELLANT: Janina Longosz-ZNalezniak
DOCKET NO.: 14-21107.001-R-1
PARCEL NO.: 25-05-219-052-0000

The parties of record before the Property Tax Appeal Board are Janina Longosz-ZNalezniak, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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: \$ 2,625
IMPR.: \$ 284
TOTAL: \$ 2,909**

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 2014 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 is a 59 year-old, one-story dwelling of frame construction containing 965 square feet of living area. The property has a 4,375 square foot site and is located in Lake Township, Cook County. The subject is classified as a class 2-

02 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a settlement statement disclosing the subject property was purchased on November 6, 2013 for a price of \$29,300. The appellant provided limited information in Section IV - Recent Sale Data of her Residential Appeal. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$10,999. The subject's assessment reflects a market value of \$110,765 or \$114.78 per square foot of living area, when using the board of review's indicated size of 965 square feet and when applying the 2014 three-year average median level of assessment of 9.93% for class 2 property as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four suggested comparable sales.

At hearing, the appellant argued that the subject's sale was at fair market value, rather than a foreclosed property or a distressed sale. She testified that the property was purchased from YP Legacy LLC without the services of a real estate broker and that the property was advertised for sale with a posted sign. The appellant sought to introduce into evidence various sales of properties in the subject's neighborhood, arguing that they confirm the sale of the subject for a fair market value. The Board denied the introduction of these sale comparables because they constituted new evidence not submitted prior to the close of the submission of documentary evidence. The board of review argued at hearing that lack of evidence of the services of a real estate broker suggested that the subject's sale was compulsory.

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

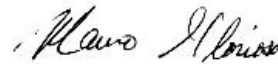
Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in November, 2013 for a price of \$29,300. The appellant provided evidence demonstrating the sale had the elements of an arm's-length transaction. The appellant disclosed in Section IV - Recent Sale Data of the appeal that she and seller YP Legacy LLC were not related, and that the property had been advertised on the open market with a sign. In further support of the transaction, the appellant submitted a copy of the settlement statement. The Board finds the board of review did not present sufficient 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. Although the board of review argued that the property was sold without a real estate broker, the appellant testified that a "for sale" sign was posted and that she did not have any relation to the seller. Without more evidence to suggest that the sale was not at fair cash value, the Board finds that it was. Based on this record the Board finds the subject property had a market value of \$29,300 as of January 1, 2014. Since market value has been determined, the 2014 three-year average median level of assessment of 9.93% for class 2 property as determined by the Illinois Department of Revenue shall apply (86 Ill.Admin.Code §1910.50(c)(2)).

Therefore, the Board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment is 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

Member



Member

Acting Member



Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

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: December 18, 2015



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.