



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

APPELLANT: Garus Bozenna
DOCKET NO.: 14-26329.001-R-1
PARCEL NO.: 12-36-215-039-1010

The parties of record before the Property Tax Appeal Board are Garus Bozenna, 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 **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: \$471
IMPR.: \$8,315
TOTAL: \$8,786

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 residential condominium unit contained in a 44 year-old, 11-unit, three-story residential condominium building of masonry construction. The property has a 7,740 square foot site and is located in Leyden Township, Cook County. The subject is classified as a Class 2-99 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 disclosed in Section IV–Recent Sale Data of the Residential Appeal that the subject was purchased from Fannie Mae on February 21, 2014 for the price of \$62,900, was not a transfer between related parties, and was advertised and sold by a realtor. The appellant did not submit further information about the sale. The appellant also submitted information on four sale comparables of residential condominium units. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price when applying the 2014 level

of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,786. The subject's assessment reflects a market value of \$87,860 when applying the 2014 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted a condominium analysis with information on suggested comparable sales for five units in the building which sold from 2007 through 2014 for a sales total of \$466,500. The board of review applied a 1.00% market value reduction for personal property to arrive at an adjusted market value of \$461,835 of the five units sold. The board of review disclosed the units sold consisted of 48.09% of all units in the building. The result was a full value of the property at \$960,356. Since the subject was 8.71% of all the units, the board of review suggested the market value of the subject to be \$83,647.

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 warranted.

The Board finds that the appellant did not submit documentary evidence in support of his overvaluation argument based on a recent sale. The only information the appellant submitted was that contained in Section IV of the petition. Therefore, the appellant did not prove overvaluation based on a recent sale by a preponderance of the evidence.

As to the appellant's overvaluation argument based on sales market data, the Board finds the best evidence of market value in the record to be condominium analysis submitted by the board of review. The five sales disclosed in the analysis were for units in the same building as the subject, three of which were sold from 2011 through 2014. Although the appellant disclosed living areas for his four sale comparables at 850 square feet of living area for each, the Multiple Listing Service information sheets submitted in support of these sales disclosed no information of living area for two sales and from 775 to 800 square feet of living area for the other two. All four sale comparable properties were one mile from the subject and, therefore, not proximate in distance to the subject. These four sales were for units in different buildings; none of them were in the subject's building. Based on this evidence, the Board finds 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



Member



Acting 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: _____

May 19, 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.