



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

APPELLANT: Barry Sobotka  
DOCKET NO.: 14-27634.001-R-1  
PARCEL NO.: 15-16-120-055-0000

The parties of record before the Property Tax Appeal Board are Barry Sobotka, the appellant(s), by attorney Nancy Pina; 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:** \$3,204  
**IMPR.:** \$22,728  
**TOTAL:** \$25,932

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 consists of four improvements situated on one parcel. Each improvement is a 61 year-old, two-story dwelling of frame and masonry construction containing 874 square feet of living area. Features of each improvement include a crawl space, central air conditioning, a fireplace and a two-car garage. The property has a 7,120 square foot site in Proviso Township, Cook County. It is a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four suggested comparable sales, including adjustment information. The appellant requested a total assessment reduction to \$5,360. The appellant's property characteristics grid analysis disclosed the subject consisted of one improvement, age 61 years, two-stories and of masonry construction. The appellant also reported a total assessment of \$25,932, or a market value of \$259,320 when applying the level of assessment of 10.00% for

Class 2 property under the Cook County Real Property Assessment Classification Ordinance. The appellant argued that the subject reflects a market value of \$296.70 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,932. The board of review argued in a brief that the subject contains four improvements on one parcel, rather than one improvement as disclosed by the appellant. The board of review appended printouts from the Cook County Assessor website disclosing four townhouses on the parcel. Each improvement was assessed at \$5,682, for a total improvement assessment of \$22,728. After adding the land assessment of \$3,204, the total assessment for the subject was \$25,932. The subject's assessment reflects a market value of \$101.67 per square foot of living area including land, when using 874 square feet of gross improvement area for each of the four improvements, and 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 information on four suggested sale comparables for each of the four improvements contained in the subject.

The board of review also argued in its brief that the property tax analysis submitted by the appellant was inadmissible evidence because it contained opinions of value that were not offered by a licensed appraiser. The board of review noted in its brief that the appellant's analysis was done by "Pro Tax Appeal." The board of review appended a copy of a Cease and Desist Order of the State of Illinois Department of Financial and Professional Regulation against Rick Robin "through his business RMR Property Tax Solutions/Pro Tax Appeal," finding that he provided real estate appraisals without a license. The Department recommended a civil penalty of \$30,000 on October 9, 2012, against the respondent, Rick Robin.

At hearing, counsel for the appellant argued that the evidence establishes that the subject property was overvalued. The evidence included a grid of four sale comparables listing various key property characteristics. The grid included a portion entitled "Property Equalization Values." The person who prepared that grid was not present to testify at hearing. The board of review objected to the admission of the appellant's Property Equalization Values grid because it was hearsay without testimony under cross-examination of the person who prepared it. The Board reserved ruling on the objection.

### **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 appellant did not produce the person who prepared the Property Equalization Values grid at hearing for cross-examination and to lay a foundation for his qualifications to render opinions and conclusions disclosed in that grid. The Board sustains the objection to the admission of that

grid as hearsay and, therefore, gives the information therein no weight. The Board further finds that there was no foundation for the adjustments, opinions and conclusions made in that grid. However, the Board may consider the raw, unadjusted sale data submitted by the appellant.

The Board finds the best evidence of market value to be the appellant's comparable sales #1, #2 and #3, and the board of review comparable sale #2 disclosed for each of the four improvements. These comparables sold for prices ranging from \$25.81 to \$186.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$101.67 per square foot of living area including land, which is within the range established by the best comparable sales in this record. 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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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.

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Chairman



\_\_\_\_\_  
Member

\_\_\_\_\_  
Acting 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: September 22, 2017



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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

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