



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

APPELLANT: Marcelino Ochoa
DOCKET NO.: 14-29728.001-R-1
PARCEL NO.: 16-25-216-010-0000

The parties of record before the Property Tax Appeal Board are Marcelino Ochoa, the appellant, by attorney Jerri K. Bush in Chicago; 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: \$2,976
IMPR.: \$11,824
TOTAL: \$14,800

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 a three-story multi-family dwelling of masonry construction with 2,280 square feet of living area. The dwelling was constructed in approximately 1885. Features of the dwelling include a full unfinished basement and three bathrooms. The property has a 2,976 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-11 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 a limited "Property Tax Analysis" of five suggested comparable sales. The analysis was dated April 6, 2015. Neither the name nor the professional credentials of the person(s) who prepared the report were disclosed. The comparables are located from .30 to 1.09 miles from the subject property. The comparables have various degrees of similarity and

dissimilarity when compared to the subject. The comparables sold from October 2012 to June 2014 for prices ranging from \$65,000 to \$122,500 or from \$30.09 to \$46.61 per square foot of living area, land included. The analysis included Property Equalization Values (adjustments) to the comparables for sale date, age, square footage, and garage area. No evidence or explanation pertaining to the calculation of the adjustment amounts was provided. Based on the Property Equalization Values, the analysis conveys a value estimate for the subject property of \$179,990 or a total assessment of \$81,810. At the bottom of the analysis, data sources were listed as Assessor, County, MLS, Realist and Marshall & Swift.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$26,180. The subject's assessment reflects a market value of \$263,646 or \$115.63 per square foot of living area, land included, when applying the 2014 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 9.93% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within the same neighborhood code as the subject property. The comparables have various degrees of similarity and dissimilarity when compared to the subject. The comparables sold from January to November 2012 for prices ranging from \$112,900 to \$180,000 or from \$58.71 to \$73.79 per square foot of living area, land included.

After reviewing the evidence, the board of review offered to stipulate to a revised assessed value of \$13,500. The appellant was notified of the proposed assessment and given thirty (30) days to respond if the offer was not acceptable. The appellant responded to the Property Tax Appeal Board by the established deadline rejecting the proposed assessment.

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 parties submitted eight comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #2, #3 and #5 along with board of review comparable #1 based on lack of basement when compared to the subject's full basement. The Board finds the best evidence of market value to be appellant's comparable sales #1 and #4 along with board of review comparable sales #2 and #3. These comparables have varying degrees of similarity and dissimilarity when compared to the subject. These comparables sold for prices ranging from \$30.09 to \$73.79 per square foot of living area, land included. The subject's assessment reflects a market value of \$115.63 per square foot of living area, including land, which is above 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 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

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 20, 2016



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.