



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

APPELLANT: Yu Rong Gong
DOCKET NO.: 14-30961.001-R-1
PARCEL NO.: 17-31-421-018-0000

The parties of record before the Property Tax Appeal Board are Yu Rong Gong, the appellant(s), by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. in Chicago; 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: \$3,600
IMPR.: \$2,900
TOTAL: \$6,500

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 one-story, single-family home of masonry construction with 714 square feet of living area. The dwelling was constructed in 1890. The property has a 3,000 square foot site and is located in Chicago, South Chicago Township, Cook County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted evidence showing that the subject sold on November 22, 2013 for \$65,000. This evidence included the settlement statement and listing sheet. The appellant's pleadings regarding Section IV- Recent Sale Data confirmed the closing date; sale price; that the parties to the transaction were not related; and that the subject was advertised for sale on the multiple listing service for 40 days; and that a realtor advertised the subject for sale. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$12,154. The subject's assessment reflects a market value of \$121,540 when applying a 10% level of assessment as determined by the Cook County Classification Code.

In support of the assessment, the board of review submitted four equity comparables. Based on this evidence, the appellant requested a reduction in the subject's assessment. In addition, the board of review submitted a brief stating that since the subject was a cash deal, appellant submitted no evidence of negotiations, and a *lis pendens* by the City of Chicago was recorded against the subject on November 8, 2013 the sale is not an arm's length transaction. In support, the board of review submitted a copy of the deed trail per the Cook County Recorder of Deeds website and prior PTAB decision.

In rebuttal, the appellant's attorney stated that the board of review's equity comparables did not address the market value argument and that only credible evidence of market value is the sale of the subject in 2014. The appellant's rebuttal further states that the subject was not a short sale per the listing sheet and that the *lis pendens* was not filed by a financial institution but by the City of Chicago. Appellant's attorney asserts that the board of review "did not provide enough evidence to show that there was any type of compulsory 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 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 \$65,000. The appellant provided evidence demonstrating the sale had the elements of arm's length transaction. In support of the transaction, copies of the settlement statement and listing sheet were submitted. The appellant also completed Section IV-Recent sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a realtor and advertised on the open market for 40 days. Lastly, the board of review failed to provide any substantial evidence to challenge the arm's length nature of the transaction.

Based on this record, the Board finds the subject property had a market value of \$65,000 as of January 1, 2014. Since market value has been determined, the level of assessments for class 2-02 residential property of 10% shall apply as determined by the Cook County Classification Code.

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.



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: December 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 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

AGENCY

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