



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

APPELLANT: Lino Blackman & Associates
DOCKET NO.: 14-31783.001-R-1
PARCEL NO.: 29-03-412-017-0000

The parties of record before the Property Tax Appeal Board are Lino Blackman & Associates, the appellant(s), by attorney Nancy Pina, of the Law Office of Nancy Pina in Broadview; 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: \$1,000
IMPR.: \$ 100
TOTAL: \$1,100

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 dwelling of frame construction with 720 square feet of living area. The dwelling is 82 years old. Features of the home include a full basement, two bedrooms, and one bathroom. The property has a 5,850 square foot site and is located in Thornton 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 evidence disclosing the subject property was purchased on October 30, 2014 for a price of \$11,000, or \$15.28 per square foot of living area, including land. The evidence includes: a settlement statement; an unsigned statement that argues a recent, voluntary, arm's-length sale of the subject is the best indicator of the subject's fair cash value; and a Multiple Listing Service

printout verifying the subject sale. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$1,100.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$5,141. The subject's assessment reflects a market value of \$51,410 or \$71.40 per square foot of living area, land included, when using the 2014 level of assessment for class 2 property of 10% 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 equity comparables.

At hearing, the appellant rested on the previously submitted evidence and stated the sale of the subject was a foreclosure sale. The board of review's representative also rested on the previously submitted evidence, stated the sale of the subject occurred after the lien date in question, and indicated the appellant's written statement is unsigned. The appellant's attorney stated the board's comparables do not respond to the appellant's recent sale argument.

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 Illinois Supreme Court has held that a sale of a property in the tax year in question is a relevant factor in considering the validity of an assessment. Our supreme court has at least indicated that a sale of property during the tax year in question is a "relevant factor" in considering the validity of an assessment. (*People ex rel. Munson v. Morningside Heights, Inc.* (1970), 45 Ill.2d 338, 342; *People ex rel. Carr v. Stewart* (1924), 315 Ill. 25, 145 N.E. 600.) Values which are future in character may not be taken into consideration, however, where they are so elusive and difficult of ascertainment that they have not affected the present market value of the property. *Carr*, supra, at 315 Ill.2d 31. With these considerations in mind, the court held that assessing officials were not barred, as a matter of law, from considering events which occurred after the lien date at issue. The court went on to state that what subsequent events assessing officials may consider in any individual case will depend on the nature of the event and the weight to be given the event will depend upon its reliability in tending to show value as of January 1. *Rosewell v. 2626 Lakeview Limited Partnership*, 120 Ill.App.3d 369, 458 N.E.2d 121, 75 Ill.Dec. 953.

With this consideration in mind, the PTAB finds the appellant's argument that the subject is overvalued based on the subject's 2014 purchase is persuasive. The Board finds the best evidence of market value to be the purchase of the subject property in October 30, 2014 for a price of \$11,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant 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,

the property had been advertised on the open market with the Multiple Listing Service for 168 days. In further support of the transaction the appellant submitted a copy of the settlement statement. The Board finds the purchase price is below the market value reflected by the assessment. Based on this record the Board finds a reduction to the appellant's requested assessment of \$1,100 is justified. 86 Ill.Admin.Code §1910.50(c)(2)

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



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: March 20, 2018



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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