



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

APPELLANT: Deepak Shah  
DOCKET NO.: 15-26901.001-R-1 through 15-26901.004-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Deepak Shah, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
15-26901.001-R-1	07-34-306-001-0000	2,071	0	\$2,071
15-26901.002-R-1	07-34-306-002-0000	2,071	1,498	\$3,569
15-26901.003-R-1	07-34-306-003-0000	1,995	204	\$2,199
15-26901.004-R-1	07-34-306-004-0000	2,161	0	\$2,161

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 2015 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 parcels. The parcel with a PIN ending in 002 is improved with a one-story dwelling of frame construction. The dwelling is approximately 59 years old and has 840 square feet of living area. Features of the home include a concrete slab foundation and central air conditioning. The parcel with a PIN ending in 003 is described as being improved with a garage. The property's four parcels have a 26,047 square-foot site and are located in Roselle, Schaumburg Township, Cook County. The parcel with the dwelling is a class 2-02 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In a brief submitted with the appeal form, the appellant's counsel stated the subject property's "100% vacant and boarded

since complainant purchased the property in 2005.” In support of the overvaluation argument, the appellant submitted an appraisal report, dated March 16, 2013, estimating the subject property had a market value of \$100,000 as of March 16, 2013. The appraiser determined the subject’s improvements were of no value. The appraiser’s primary purpose was to estimate the value of the subject’s land using the sales comparison approach. The appraiser considered five comparable properties (three sales and two active listings). The three properties that sold had sale dates that occurred from May to November 2012 for prices that ranged from \$90,000 to \$98,000 or from \$1.91 to \$5.05 per square foot of land area. The two active listings were on the market with asking prices of \$219,000 and \$239,500 or for \$6.25 and \$6.94 per square foot of land area. The five comparables were located from 1.77 to 5.05 miles from the subject property and had sites that ranged from 19,400 to 47,040 square feet of land area. After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sale prices for differences in land area and location as well as for financing. The appraiser determined the adjusted sale prices of the comparable properties ranged from \$80,000 to \$183,500 or from \$1.70 to \$5.57 per square foot of land area. As a result, the appraiser concluded the subject’s four parcels had a market value of \$100,000 or \$3.84 per square foot as of March 16, 2013. Based upon the appraisal, the appellant requested the subject's combined total assessment be reduced to \$10,000.

The appellant’s attorney also submitted a copy of a two-page 2014 decision letter, dated October 9, 2014, from the Cook County Assessor’s Office. Information on page one indicated the subject’s combined “assessed valuation should remain [\$15,725] as originally proposed.” Information on page two indicated the combined assessment should be reduced to \$10,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for one of the subject’s four parcels. The appellant provided the 2015 final decision of the Cook County Board of Review, dated March 8, 2016. The final decision disclosed the subject's four parcels have a combined total assessment of \$15,738. The subject’s assessment reflects a market value of \$157,380 or \$195.75 per square foot of living area, including land, when applying the 10% level of assessment for class 2 residential properties 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 three equity comparables.

In rebuttal, the appellant’s attorney asserted the board of review had submitted equity evidence that was not responsive to the appellant’s overvaluation argument. In addition, counsel asked that the subject’s combined total assessment for the 2015 tax year return to their prior year assessments.

### **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 only evidence of market value in the record was submitted by the appellant. The appellant's appraisal report revealed the subject's four parcels had a market value of \$100,000 as of March 16, 2013. The subject's assessment reflects a market value that is above the evidence of market value in the record.

The Board finds the board of review was not able to adequately refute the market value conclusion contained in the appellant's appraisal report. The board of review submitted equity evidence that did not address the appellant's overvaluation argument. Consequently, the Board gave no weight to the board of review's equity evidence.

The Board finds the subject's four parcels had a market value of \$100,000 as of the assessment date at issue. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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: August 21, 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Deepak Shah, by attorney:  
Joanne Elliott  
Elliott & Associates, P.C.  
1430 Lee Street  
Des Plaines, IL 60018

COUNTY

Cook County Board of Review  
County Building, Room 601  
118 North Clark Street  
Chicago, IL 60602