



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

APPELLANT: Gerry Tadros
DOCKET NO.: 15-27074.001-R-1
PARCEL NO.: 20-10-116-019-0000

The parties of record before the Property Tax Appeal Board are Gerry Tadros, 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:

LAND: \$3,500
IMPR.: \$3,441
TOTAL: \$6,941

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 a three-story, multi-family dwelling of masonry construction. The dwelling is approximately 117 years old and has 4,800 square feet of living area. Features of the home include three apartment units and a full unfinished basement. The property has a 2,500-square foot site and is located in Chicago, Hyde Park 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 assessment inequity and overvaluation as the bases of the appeal. The subject's land assessment is not being contested. In support of the inequity argument, the appellant submitted information on three equity comparables with the same neighborhood and classification codes as the subject. The comparables are located from 0.3 to 1.3 miles from the subject property. The comparables are improved with three-story, multi-family dwellings of masonry construction. The dwellings are from 107 to 122 years old and contain from 4,465 to

4,650 square feet of living area. Each comparable has three apartment units and a full unfinished basement. One comparable has a one-car garage. The comparables have improvement assessments ranging from \$12,213 to \$15,756 or from \$2.63 to \$3.53 per square foot of living area. Based on the equity evidence, the appellant requested a reduction in the subject's improvement assessment to \$15,312 or \$3.19 per square foot of living area as set forth in a brief.

In support of the overvaluation argument, the appellant submitted three comparable sales with the same assigned neighborhood and classification codes as the subject property. The comparables have from 3,125 to 4,025 square feet of land area. The comparables are improved with three-story multi-family dwellings of masonry construction. The dwellings range in age from 110 to 135 years old and contain from 4,494 to 4,995 square feet of living area. The comparables have three or four apartment units. Each comparable has a full basement, one of which has been finished for an apartment. One of the comparables has a two-car garage. The comparables sold from January 2013 to March 2015 for prices that ranged from \$42,000 to \$65,000 or from \$9.19 to \$14.46 per square foot of living area, land included. As part of their submission, the appellant provided copies of MLS data sheets and property lookup reports from the Cook County Assessor's Office. Based on the market value evidence, the appellant requested a reduction in the subject's total assessment to \$5,429, which would reflect a market value of approximately \$54,288.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$24,178 was disclosed. The subject's total assessment reflects a market value of \$241,780 or \$50.37 per square foot of living area, land included, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance. The subject property has an improvement assessment of \$20,678 or \$4.31 per square foot of living area. The board of review presented descriptions and assessment information on four comparable properties with the same neighborhood and classification codes as the subject. One of the comparables is located on the same block as the subject, and the other three comparables were described as being located one-quarter mile from the subject property. The comparables are improved with three-story dwellings of masonry construction. The dwellings are from 112 to 122 years old and contain from 4,128 to 4,788 square feet of living area. Each comparable has a full unfinished basement, and two comparables have two-car garages. The board of review did not provide information on the number of apartment units. However, each comparable is described as having three full bathrooms. The board of review's four comparable properties have improvement assessments ranging from \$17,994 to \$21,806 or from \$4.06 to \$4.95 per square foot of living area. Based on this equity evidence, the board of review requested confirmation of the subject's assessment.

The board of review also submitted information on four comparable sale properties with the same assigned neighborhood and classification codes as the subject property. The comparables have from 2,345 to 3,750 square feet of land area. The comparables consist of four 2-story multi-family dwellings of masonry or stucco exterior construction. The dwellings range in age from 16 to 135 years old and contain from 2,099 to 3,154 square feet of living area. Each comparable has a full basement, with one being finished for an apartment. Two comparables have central air conditioning and a garage, either two-car or three-car. The board of review did not reveal the number of apartment units; however, each comparable has two full bathrooms. The comparables sold from March to July 2013 for prices that ranged from \$131,000 to

\$477,500 or from \$51.13 to \$196.52 per square foot of living area, land included. Based on this market evidence, the board of review requested an increase in the subject's assessment.

In rebuttal, the appellant's attorney asserted that the board of review had submitted comparable sales without sufficient documentation and described differences between the subject and each of the comparable properties.

Conclusion of Law

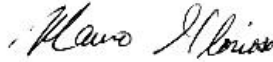
The taxpayer contends in part assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment based on inequity is not warranted.

The parties presented assessment data on a total of seven equity comparables. The Board finds the best evidence of assessment equity to be the comparables submitted by the board of review. The Board finds that all of the comparables were generally similar to the subject in design, exterior construction, age, living area and features. The comparables had improvement assessments that ranged from \$2.63 to \$4.95 per square foot of living area. The subject's improvement assessment of \$4.31 per square foot of living area falls within the range established by the comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment based on inequity is not justified.

The appellant contends in part 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 based on overvaluation is warranted.

The Board finds the parties submitted information on seven comparable sales. The Board gave less weight to the appellant's comparable sale #1 and the comparable sales submitted by the board of review. The Board finds these properties sold from January to July 2013, which was not proximate to the January 1, 2015 assessment date. The Board finds the best evidence of market value in the record to be the appellant's comparable sales #2 and #3. These properties were located near the subject property and were also similar to the subject in design, exterior construction, age, living area and foundation. The appellant's comparables #2 and #3 sold in January 2014 and March 2015 for prices of \$10.29 and \$14.46 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$50.37 per square foot of living area, including land, which falls above the market values of the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment based on overvaluation 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: July 17, 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.

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PARTIES OF RECORD

AGENCY

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