



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

APPELLANT: Alan Khalil (JFI Realty LLC) ,  
DOCKET NO.: 15-27179.001-R-1  
PARCEL NO.: 19-24-407-040-0000

The parties of record before the Property Tax Appeal Board are Alan Khalil (JFI Realty LLC), 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 **No Change** 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:** \$2,611  
**IMPR.:** \$22,774  
**TOTAL:** \$25,385

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 two-story, mixed-use building of masonry construction. The building is approximately 82 years old and has 6,090 square feet of building area.<sup>1</sup> Features of the building include a commercial unit, six apartment units and a partial unfinished basement.<sup>2</sup> The property has a 3,731-square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

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<sup>1</sup> In a brief submitted with the appeal, the appellant's attorney stated the subject property was misclassified as a class 2-12 property. Counsel stated that: "Since 2013, the subject property has consisted of six (6) two-bedroom, residential apartments and ZERO (0) commercial units."

<sup>2</sup> Photographic evidence submitted by the appellant indicates the subject property appears to have at least one commercial unit. The photograph has an image capture date of October 2015.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on March 7, 2013, for a price of \$50,000. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the property was purchased from a corporation; the parties to the transaction were not related; the property was sold using a realtor; and the property had been advertised for sale with Costar.com. The appellant stated the subject was on the market for 86 days prior to its sale. To document the transaction, the appellant submitted copies of a special warranty deed, the sale contract, and income data for 2013 and 2014. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

In support of the overvaluation argument, the appellant also submitted a grid analysis with limited information on four comparable sales that sold from July 9, 2013 to February 23, 2015 for prices that ranged from \$20,000 to \$62,000 or from \$3.30 to \$7.75 per square foot of building area, land included. To document these comparable sales, the appellant submitted copies of their realty data sheets and their property lookup reports from the Cook County Assessor's Office. The realty data sheets for the appellant's comparables #2 and #4 indicated they sold as bank-owned properties and that comparable #4 was on the market for 1,226 days prior to its sale in July 2013. The comparables' property lookup reports indicate that none of the properties have the same classification and neighborhood codes as the subject.<sup>3</sup> Their sites range from 4,513 to 6,098 square feet of land area. Based on photographic evidence, the comparables appear to be improved with two-story buildings of masonry construction. Based on the realty data sheets, the buildings range in age from 87 to 100 years old and contain from 6,066 to 8,000 square feet of building area.<sup>4</sup> The comparables have from six to ten apartment units. In a brief submitted with the appeal, the appellant's attorney asserted the comparable sales support the subject's purchase price because "distressed sales have now set the market for the area."

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,385. The subject's assessment reflects a market value of \$253,850 or \$41.68 per square foot of building 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 four comparable sales that sold from April to November 2015 for prices that ranged from \$188,000 to \$340,000 or from \$41.32 to \$82.44 per square foot of building area, land included. The comparables have the same assigned classification code as the subject; however, none have the same neighborhood code as the subject. Their sites range from 3,125 to 7,000 square feet of land area. The comparables are improved with one and one-half story or two-story, mixed-use buildings of masonry construction. The buildings range in age from 37 to 88 years old and contain from 4,073 to 7,000 square feet of building area. Three comparables have basements and one comparable has a concrete slab foundation. Comparable #3 has central air conditioning; and comparables #2 and #4 have four-car garages. The board of review did not provide information

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<sup>3</sup> According to their property lookup reports, comparable #1 has a classification code of 3-18; comparable #2 has a classification code of 2-11; and comparables #3 and #4 have a classification code of 3-14.

<sup>4</sup> The property lookup reports revealed the comparable properties had building area that ranged from 5,810 to 7,788 square feet.

on the number of apartment units and commercial units (if any); however, the comparables were described as having from two to four full bathrooms.

As part of the submission, the board of review presented a supplemental brief that was only partly legible. The brief was prepared by a board of review analyst. In the brief, the analyst stated the subject sold as a compulsory sale and the appellant had not submitted enough evidence to demonstrate the sale was an arm's length transaction. To document this claim, the analyst submitted a copy of the subject's deed history from the Cook County Recorder of Deeds' website. The subject property's deed history disclosed a foreclosure filed on June 8, 2012. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney critiqued the board of review's submission. Counsel stated the subject's sale was not compulsory. To illustrate that point, the appellant's attorney submitted copies of prior year appeals for the subject property. According to counsel, the Property Tax Appeal Board "found the subject's sale had the elements of an arm's length transaction." Counsel also stated that the board of review had submitted raw sales without adjustments for differences from the subject property.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

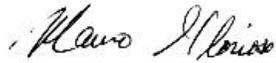
The Board takes notice that the appellant made reference to prior year appeals (13-26016.001-R-1 and 14-23513.001-R-1) that came before the Property Tax Appeal Board. In those appeals, the subject property's assessment was reduced to \$5,000 based upon information submitted by the parties. However, the Board finds the decision in those appeals cannot be carried forward to the present appeal because the subject property was not shown to be owner-occupied and 2015 is the start of a new general assessment period for Lake Township.

In this appeal, the Board finds the appellant's presented an overvaluation argument that was based upon the subject's recent sale as well as limited information on four comparable sales that purportedly support the subject's sale price. The Board gave less weight to the subject's sale because it did not occur proximate in time to the assessment date at issue. The subject sold on March 7, 2013, for a price of \$50,000. The Board finds the information relied on by the appellant is over 21 months old and is less probative of value for an appeal with an assessment date of January 1, 2015.

The Board finds the parties submitted sale prices for eight comparable properties. The Board finds that none of these sales had the same neighborhood code as the subject and only the board of review's comparable sales had the same assigned classification code as the subject. Although none of these sale properties were particularly comparable to the subject property, the Board finds that six of these sales sold more proximate to the January 1, 2015 assessment date. The

appellant's comparables #1 and #3 and the board of review comparable sales sold from December 2014 to November 2015 for prices that ranged from \$20,000 to \$340,000 or from \$3.27 to \$82.44 per square foot of building area. The subject's assessment reflects a market value of \$253,850 or \$41.68 per square foot of building area, land included, which is within the range of market values established by the sales that sold more proximate to the assessment date. Based on this record, the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment is not 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.

PARTIES OF RECORD

AGENCY

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