



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

APPELLANT: Katarzvna Rafalko  
DOCKET NO.: 15-31155.001-R-1  
PARCEL NO.: 12-24-219-005-0000

The parties of record before the Property Tax Appeal Board are Katarzvna Rafalko, the appellant, 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 **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:** \$4,125  
**IMPR.:** \$17,905  
**TOTAL:** \$22,030

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 one and one-half story dwelling of frame construction with 1,305 square feet of living area. The dwelling is approximately 88 years old. Features of the home include a full unfinished basement, central air conditioning and a two-car garage. The property has a 3,750-square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-03 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 December 27, 2013, for a price of \$180,000. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the property was purchased from individuals; the parties to the transaction were not related; the property was sold using a realtor; the property had been advertised for sale with a

multiple listing service (MLS); and the property was on the market for nine days prior to its sale. To document the transaction, the appellant submitted copies of the subject's settlement statement and MLS data sheet. The settlement statement revealed that a commission was paid to a realty firm. The MLS data sheet disclosed the subject sold as a short sale and was first listed for sale on November 14, 2013, at a price of \$180,000. After nine days on the market, the subject sold for its asking price of \$180,000.

The appellant also submitted an appraisal, estimating the subject property had a market value of \$189,000 as of January 1, 2015. The appraiser developed all three approaches to value but gave primary emphasis to the sales comparison approach for estimating the market value of the subject property. Using the cost approach, the appraiser estimated a market value of \$186,336. The appraiser developed a cursory income approach that resulted in a market value of \$187,000. Under the sales comparison approach, the appraiser considered five comparable sales and two active listings. The comparables that sold had sale dates from September to December 2013 for prices that ranged from \$169,000 to \$205,500 or from \$123.38 to \$178.70 per square foot of living area, land included. Comparables #6 and #7 were active listings that were listed for sale in September and December 2013 for prices of \$235,000 and \$174,900, respectively. The comparables were all located within 0.60 of a mile from the subject property and have sites that range from 3,750 to 5,670 square feet of land area. The comparable properties are improved with dwellings that were described as bungalow or Cape Cod in design. The dwellings range in age from 85 to 101 years old and contain from 1,040 to 1,362 square feet of living area. Six of the comparables have basements, with five having finished area. Four comparables have central air conditioning; one comparable has a fireplace; and six comparables have garages, either one-car or two-car. After making adjustments for differences in condition of sale, age, living area, land area, number of bathrooms and bedrooms, and features, the appraiser determined the adjusted sale prices of the comparable properties ranged from \$162,500 to \$220,500 or from \$119.31 to \$191.74 per square foot of living area, land included. As a result, the appraiser concluded that the subject property had a market value of \$189,000 as of December 16, 2013. Based upon the appraisal, the appellant requested that the subject's total assessment be reduced to \$18,900.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$22,030. The subject's assessment reflects a market value of \$220,300 or \$168.81 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.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that sold from November 2013 to March 2015 for prices that ranged from \$247,000 to \$260,000 or from \$206.90 to \$236.79 per square foot of living area, land included. The comparables have the same assigned neighborhood and classification codes as the subject. Their sites range from 3,720 to 5,530 square feet of land area. The comparables are improved with one-story or one and one-half story dwellings of frame or masonry construction. The dwellings range in age from 62 to 75 years old and contain from 1,098 to 1,232 square feet of living area. The comparables have full unfinished basements and garages ranging from one and one-half car to three-car. Two comparables have central air conditioning, and one of these

comparables also has a fireplace. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney asserted the board of review had submitted three "unadjusted raw sales."

### **Conclusion of Law**

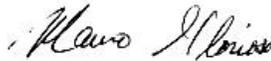
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 considered the December 27, 2013 sale of the subject property, the appellant's appraisal report dated December 16, 2013, and the three comparable sales submitted by the board of review. The Board gave less weight to the subject's recent sale and the appraisal report, because the Board finds the subject's December 2013 sale and the appraisal report to be dated and no longer current for an appeal with an assessment date of January 1, 2015. The subject's recent sale occurred over a year prior to the January 1, 2015 assessment date, and the appraiser analyzed five comparable sales that sold from September to December 2013 and two active listings from the same time period to arrive at an estimated market value for the subject property as of December 16, 2013. As a result, the Board has given diminished weight to the subject's recent sale and the appellant's appraisal report and will instead examine the raw sales submitted by the parties.

The Board finds the best evidence of market value in the record to be board of review comparable sales #2 and #3. These comparables were similar to the subject in most characteristics, and they sold more proximate in time to the January 1, 2015 assessment date. Board of review comparables #2 and #3 sold in August 2014 and March 2015 for prices of \$260,000 and \$247,000 or for \$236.79 and \$216.29 per square foot of living area, land included, respectively. The subject's assessment of 22,030 reflects a market value of \$220,300 or \$168.81 per square foot of living area, land included, which is supported by the best comparable sales in the record. The Board gave less weight to the appraiser's comparables and board of review comparable #1 due to their dated sales. These properties had sale dates that occurred in 2013 and were not proximate in time to the January 1, 2015 assessment date.

Based on the evidence in the record, the Board finds a reduction in the subject's assessment is not warranted.

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

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: June 19, 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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