



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

APPELLANT: 3012 W Fulton LLC
DOCKET NO.: 15-32613.001-R-1
PARCEL NO.: 16-12-305-011-0000

The parties of record before the Property Tax Appeal Board are 3012 W Fulton LLC, the appellant(s), by attorney Kenneth D. Flaxman, of Edward T. Joyce & Associates 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: \$3,937
IMPR.: \$20,989
TOTAL: \$24,926

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, multi-family dwelling of masonry construction. The dwelling was constructed in 1893 and is located in Chicago, West Chicago Township, Cook County. The property is a class 2-11 per the Cook County Real Property Classification Ordinance.

The appellant argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal. In support of the market value argument, the appellant submitted three sale comparables. The appellant's attorney also submitted Cook County Assessor and interior photographs for sale comparable #3. Lastly, the appellant states that the subject contains 3,719 square feet of living area and 2,000 below ground square feet of living area. No further evidence was submitted supporting size calculation.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$24,926. The subject's assessment reflects a market value of \$249,260 or \$43.58 per square foot of living area, land included, when using the 2015 level of assessment for class 2-11 properties of 10% as determined by the Cook County Real Property Classification Code. The board of review states that the subject contains 5,719 square feet of living area.

In support of its contention of the correct assessment the board of review submitted four sale comparables.

In rebuttal, the appellant distinguished the comparables based on sale date, size, location and number of units. In support, the appellant submitted Cook County Assessor printouts for three of the board of review comparables and non legible copies of deeds for comparable #4.

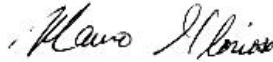
Conclusion of Law

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 finds that the subject contains 5,179 square feet of living area. The appellant did not submit any evidence such as a blueprint, survey, or building sketch to support a change in the subject's size from 5,179 to 3,179 square feet of building area. Furthermore, the assessor's printouts confirmed that the subject contains 5,179 square feet of living area.

The Board finds the best evidence of market value to be the appellant's sale comparable #3 and the board of review's comparables #3 and #4. These similar comparables sold for prices ranging from \$26.58 to \$88.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$43.58 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence, the Board finds 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: May 15, 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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