



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

APPELLANT: Michael Weiss  
DOCKET NO.: 15-35033.001-R-1  
PARCEL NO.: 17-06-101-013-0000

The parties of record before the Property Tax Appeal Board are Michael Weiss, 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:** \$12,000  
**IMPR.:** \$52,111  
**TOTAL:** \$64,111

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 with 4,409 square feet of living area. The dwelling was constructed in 1894 and has a basement apartment. The property has a 3,000-square foot site and is located in Chicago, West Chicago Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted a retrospective appraisal estimating the subject property had a market value of \$505,000 as of January 1, 2015.

The appellant's appraisal was completed using the sales comparison approach in estimating a market value for the subject property. The appellant's appraisers selected five suggested comparable properties that were two or three-story masonry dwellings that ranged in size from

2,497 to 3,672 square feet of living area. The comparables had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from May to December 2014 for prices ranging from \$280,000 to \$421,000 or from \$91.71 to \$117.61 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$61,111. The subject's assessment reflects a market value of \$611,110 or \$138.61 per square foot of building area, land included, when using level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a grid analysis containing information on three sales that were located in the subject's neighborhood code. The comparables were three-story multi-family dwellings of masonry construction that ranged in size from 4,347 to 4,900 square feet of living area. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from August 2013 to December 2014 for prices ranging from \$710,000 to \$987,777 or from \$158.73 to \$201.59 per square foot of living area, including land.

The appellant submitted rebuttal critiquing the board of review's submission.

### **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 the best evidence of market value to be the board of review's comparable sales #1 and #2. These comparables were most similar to the subject in location, design, age, size and features. These comparables also sold proximate in time to the January 1, 2015 assessment date at issue. The board of review's most similar comparables sold in September and December 2014 for \$987,777 and \$775,000 or \$201.59 and \$178.28 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$611,110 or \$138.61 per square foot of living area, including land, which is supported by the market values of the best comparables in this record. The Board gave less weight to the board of review's remaining comparable due to its sale date occurring greater than 16 months prior to the January 1, 2015 assessment date. The Board gave less weight to the appellant's appraisal due to the appraisers use of comparable properties that were significantly smaller, when compared to the subject.

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: October 16, 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

Michael Weiss, 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