



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

APPELLANT: Gilbert Perez
DOCKET NO.: 15-35721.001-R-1
PARCEL NO.: 13-26-417-010-0000

The parties of record before the Property Tax Appeal Board are Gilbert Perez, the appellant, by attorney Stephanie Park, of Park & Longstreet, P.C., in Rolling Meadows; 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: \$4,550
IMPR.: \$22,450
TOTAL: \$27,000

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 dwelling with 3,534 square feet of living area of frame construction. The dwelling is 102 years old. Features of the home include a full finished basement and a two-car garage. The property has a 3,250 square foot site and is located in Chicago, Jefferson 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 overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales, all located within the same neighborhood code as the subject. The comparables consist of three two-story dwellings and one three-story dwelling of masonry or frame construction. Features include three comparables having full unfinished basement. Two comparables have a one-car or three-car detached garage. The comparables have sites ranging from 2,852 to 6,300 square feet of land area. The

comparables sold from February 2012 to July 2014 for prices ranging from \$200,000 to \$282,000 or from \$56.88 to \$77.99 per square foot of living area, including land. Based on this evidence, the appellant requested the total assessment be reduced to \$20,100 or a market value of \$201,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,460. The subject's assessment reflects a market value of \$374,600 or \$106.00 per square foot of living area, including land, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. In support of the subject's assessment, the board of review submitted information on four equity comparables to demonstrate that the subject property is uniformly assessed. Based on this evidence, the board requested confirmation of the subject's assessment.

In written rebuttal, appellant's counsel argued that the board of review's comparables should be given no weight because the comparables lacked sales data.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board gave no weight to the equity comparables provided by the board of review as these properties did not address appellant's overvaluation argument. The board gave less weight to appellant's comparable #2 as this sale occurred in February 2012, which is less indicative of fair market value as of the subject's January 1, 2015 assessment date and to comparable #4 due the lack of a basement, when compared to the subject's full finished basement.

The Board finds the best evidence of market value in the record to be the appellant's comparables #1 and #3, as they were most similar to the subject in location, age, size, and features. These comparables sold for prices ranging of \$200,000 and \$280,000 or \$56.88 and \$77.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$374,600 or \$106.00 per square foot of living area, including land, which is above the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment 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

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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