



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

APPELLANT: Inchard, LLC
DOCKET NO.: 15-36413.001-R-1
PARCEL NO.: 33-05-312-011-0000

The parties of record before the Property Tax Appeal Board are Inchard, LLC, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC 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: \$2,625
IMPR.: \$8,256
TOTAL: \$10,881

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 multi-level dwelling of frame construction. The dwelling is approximately 39 years old and has 1,082 square feet of living area. Features of the home include a partial finished basement and a two-car garage. The property has a 7,500 square foot site and is located in Lansing, Bloom Township, Cook County. The subject is classified as a class 2-34 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 April 29, 2013, for a price of \$84,900. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the seller was a financial entity; the parties to the transaction were not related; the property was sold using a realtor; the property had been advertised for sale using the multiple listing service; and the property sold in settlement of a contract for deed. The appellant did not answer the question that asked how long the subject had been exposed to the market. To document the

transaction, the appellant submitted copies of the settlement statement, the sales contract and the Illinois Real Estate Transfer Declaration (PTAX-203). The settlement statement disclosed that commissions were paid to two realty firms. The transfer declaration revealed that the subject property had been advertised for sale. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$10,881. The subject's assessment reflects a market value of \$107,096 or \$98.98 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for class 2 property of 10.16% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that sold from July to October 2014 for prices that ranged from \$138,000 to \$163,000 or from \$102.81 to \$120.56 per square foot of living area, land included. The comparables have the same assigned neighborhood code as the subject property, and they have sites that range from 7,980 to 10,550 square feet. The comparables are improved with multi-level dwellings of masonry or frame and masonry construction. The comparables are either 32 or 46 years old and contain from 1,318 to 1,373 square feet of living area. Each comparable has a partial finished basement, central air conditioning and a two-car garage. Three comparables have a fireplace. The board of review also submitted a supplemental brief written by a board of review analyst. In the brief, the analyst submitted evidence indicating the subject's 2013 sale was compulsory and not reflective of fair cash value. Based upon this evidence, the board of review requested confirmation of the subject's assessment.

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 gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue. The subject sold on April 29, 2013, which was over twenty months prior to the January 1, 2015 assessment date. The Board finds the best evidence of market value in the record to be the comparable sales submitted by the board of review. These properties sold more proximate to the assessment date and were also similar to the subject in location, design, age and foundation. The comparables sold from July to October 2014 for prices that ranged from \$102.81 to \$120.56 per square foot of living area, land included. The subject's assessment reflects a market value of \$98.98 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. 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:

April 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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