



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

APPELLANT: Joe Gliner  
DOCKET NO.: 15-37274.001-R-1 through 15-37274.007-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Joe Gliner, the appellant(s), by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-37274.001-R-1	10-21-211-053-1001	611	8,889	\$9,500
15-37274.002-R-1	10-21-211-053-1002	615	7,920	\$8,535
15-37274.003-R-1	10-21-211-053-1003	618	6,382	\$7,000
15-37274.004-R-1	10-21-211-053-1004	740	10,060	\$10,800
15-37274.005-R-1	10-21-211-053-1005	451	5,800	\$6,251
15-37274.006-R-1	10-21-211-053-1006	697	8,962	\$9,659
15-37274.007-R-1	10-21-211-053-1007	697	8,962	\$9,659

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 seven condominium units within a 51-year old, multi-story, seven-unit condominium building. The property is located in Niles Township, Cook County and is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of the overvaluation argument, the appellant submitted evidence of the sale of four units within the subject's building. These units

sold from April 2013 to April 2015 for a total amount of \$312,200. The appellant argues that the total should be reduced by 10% to account for personal property for an adjusted value of \$280,980. The appellant then applies the percentage of ownership of these sales of 54.64% to arrive at a total value of the building of \$514,239. The appellant then requests that a 9.4% level of assessment should be applied to this adjusted value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$91,314. The subject's assessment reflects a market value of \$913,140 when using the level of assessment 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 information on one 2007 sale from a unit within the subject's building. This unit sold for \$169,000. The board adjusted the sales down by 15% to account for personal property for an adjusted value of \$143,650. The board of review then applies the percentage of ownership of these sales of 15.73% to arrive at a total value of the building of \$913,223. The board of review also included a supplemental brief that addresses any recent sale of the subject property. The board of review asserts that the sales are compulsory and not at market value.

In rebuttal, the appellant argues that his comparables have a higher percentage of ownership combined than the board of review's comparables.

### **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).

In addressing the appellant's market value argument, the Board finds that the sale of the subject units ending in property identification numbers (PIN) 1005 and 1004 were "compulsory sales." A "compulsory sale" is defined as

- (i) the sale of real estate for less than the amount owed to the mortgage lender or mortgagor, if the lender or mortgagor has agreed to the sale, commonly referred to as a "short sale" and (ii) the first sale of real estate owned by a financial institution as a result of a judgment of foreclosure, transfer pursuant to a deed in lieu of foreclosure, or consent judgment, occurring after the foreclosure proceeding is complete.

35 ILCS 200/1-23. Real property in Illinois must be assessed at its fair cash value, which can only be estimated absent any compulsion on either party.

Illinois law requires that all real property be valued at its fair cash value, estimated at the price it would bring at a fair voluntary sale where the owner is

ready, willing, and able to sell but not compelled to do so, and the buyer is likewise ready, willing, and able to buy, but is not forced to do so.

Board of Educ. of Meridian Community Unit School Dist. No. 223 v. Illinois Property Tax Appeal Board, 961 N.E.2d 794, 802, 356 Ill.Dec. 405, 413 (2d Dist. 2011) (citing Chrysler Corp. v. Illinois Property Tax Appeal Board, 69 Ill.App.3d 207, 211, 387 N.E.2d 351 (2d Dist. 1979)).

However, the Illinois General Assembly recently provided very clear guidance for the Board with regards to compulsory sales. Section 16-183 of the Illinois Property Tax Code states as follows:

The Property Tax Appeal Board shall consider compulsory sales of comparable properties for the purpose of revising and correcting assessments, including those compulsory sales of comparable properties submitted by the taxpayer.

35 ILCS 200/16-183. Therefore, the Board is statutorily required to consider compulsory sales of comparable properties.

In the instant case, the Board finds that the board of review presented two additional sales that sold in 2013 and 2015 for \$70,000 and \$95,000. The Board gives no weight to the board of review sale as this sale is too aged. In comparison, the unit ending in PIN 1004 sold for \$108,000 which is consistent with a market sale. However, the unit ending in PIN 1005 sold for considerably less than the market at \$39,200. The Board finds this sale is not reflective of the market.

Therefore, the board finds the best evidence of market value for the units ending in (PIN) 1001, 1003, and 1004 are the sale prices for these units of \$95,000, \$70,000 and \$108,000. In determining the value of the remaining units, the Board finds these three sales to be the best comparables. These comparables sold from July 2013 to April 2015 for a total of \$273,000. However, the Board gives no weight to the appellant's or board of review's adjustment for personal property as there is no evidence of this in the record. Therefore, the Board will apply the percentage of ownership of these comparables of 44.46% to the unadjusted total to arrive at a value for the building of \$614,035. In applying the subject's percentage of ownerships for the remaining four units, the Board finds these subject units are overvalued and a reduction for all seven units 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



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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