



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

APPELLANT: Justin Abraham  
DOCKET NO.: 15-37605.001-R-1 through 15-37605.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Justin Abraham, the appellant, by attorney David C. Dunkin of Arnstein & Lehr, LLP 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 **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
15-37605.001-R-1	14-31-319-029-1097	1,676	21,181	\$22,857
15-37605.002-R-1	14-31-319-029-1175	229	3,614	\$3,843

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 two parcels located at 2300 West Wabansia Avenue, Chicago, West Chicago Township, Cook County. The parcel ending in 1097 is residential condominium unit #324, and the parcel ending in 1175 is garage unit #P62. The subject property 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 this argument, the appellant submitted evidence disclosing the subject property was purchased on October 7, 2015, for a price of \$267,000. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the property was purchased from an individual; the parties to the transaction were not related; the property was sold using a realtor; and the property had been advertised for sale with a multiple listing service. To document the transaction, the appellant submitted a copy of the settlement statement as well as data sheets from Redfin.com. The settlement statement revealed

that a commission was paid to a realty firm. The information from Redfin.com disclosed that the subject was first listed for sale on August 31, 2015, at a price of \$267,000. The parties closed on the sale on October 7, 2015 at a price of \$267,000. Based on this evidence, the appellant 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 subject's two parcels have a combined total assessment of \$31,923. The subject's assessment reflects a market value of \$314,203 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 an explanation outlining the method of assessing the subject condominium unit. The evidence indicates the building's estimated market value was derived from 68 sales that occurred from February 2012 through November 2014 for sale prices that totaled \$10,458,502. Two of the sales used in the analysis did not have sale dates. No adjustments were applied to these sales, and descriptions of these properties were not provided by the board of review. The personal property of these 68 sales was estimated to be 4% or \$418,340. The total amount less personal property (\$10,040,162) was divided by the total ownership percentage (29.7800%) to arrive at the building's estimated market value of \$33,714,446. The subject's estimated market value was based on its pro rata share of ownership of the condominium (0.95500%) or \$321,973. Based on 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in October 2015 for a price of \$267,000. The appellant provided evidence demonstrating the sale had the necessary elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a realtor and the property had been advertised for sale and was exposed to the market for over a month. In further support of the transaction, the appellant submitted a copy of the settlement statement and the property's listing history from Redfin.com. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction and was not able to refute the contention that the purchase price was reflective of market value. The board of review relied on the sale prices of 68 condominium units to arrive at the subject's assessed value based on its pro rata share of ownership. No adjustments were applied to these sales, and descriptions of these properties were not provided by the board of review. The Board finds the subject's sale price is the better indicator of the subject's market value than the valuation methodology employed by the board of review. Based on this record, the Board finds the subject property had a market value of \$267,000 as of January 1, 2015. A reduction in the subject's assessment is appropriate.

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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Justin Abraham, by attorney:  
David C. Dunkin  
Arnstein & Lehr, LLP  
161 North Clark  
Suite 4200  
Chicago, IL 60601

COUNTY

Cook County Board of Review  
County Building, Room 601  
118 North Clark Street  
Chicago, IL 60602