



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

APPELLANT: Solonge Herbert  
DOCKET NO.: 15-39415.001-R-1  
PARCEL NO.: 20-29-417-017-0000

The parties of record before the Property Tax Appeal Board are Solonge Herbert, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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:** \$2,232  
**IMPR.:** \$14,333  
**TOTAL:** \$16,565

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a 2014 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 parcel is improved with a two-story frame dwelling. The dwelling is 8 years old and contains 1,806 square feet of living area. The dwelling features a full basement with finished area<sup>1</sup>, central air conditioning, one fireplace and a 2-car garage. The property is located in neighborhood code 221 in Chicago, Lake Township, Cook County and is classified as a class 2-07 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. The appellant completed Section IV - Recent Sale Data of the appeal indicating the subject was purchased on January 17, 2013 for \$83,000. The purchase was made through a realtor, from the owner of record, and was

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<sup>1</sup> The MLS Listing Sheet submitted by the appellant for the subject's January 2013 sale describes the basement as finished.

not between family or related corporations. The property was advertised for sale through the Multiple Listing Service and was on the market 241 days.

The appellant also submitted information on five comparable properties. They are described as two-story dwellings built from 2007 to 2009 containing from 1,776 to 1,964 square feet of living area. They had features with varying degrees of similarity to the subject. The comparables are located in neighborhood codes 282, 223 and 221 and range in distance from 1.01 to 1.46 miles from the subject. They sold from August 2014 to December 2015 for prices ranging from \$95,340 to \$165,000 or from \$51.65 to \$91.72 per square foot of living area including land. The appellant did not report information on classification codes, exterior construction or land sizes for the comparables. Based on this evidence, the appellant requested the total assessment be reduced to \$8,300 or a market value of approximately \$83,000 or \$45.96 per square foot of living area including land when applying the Cook County Real Property Assessment Ordinance level of assessment for class 2 property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$21,408. The subject's assessment reflects a market value of approximately \$214,080 or \$118.54 per square foot of living area, land included.

In support of the subject's assessment the board of review submitted information on four comparables. They are described as two-story frame or frame and masonry dwellings ranging in age from 4 to 21 years old and ranging in size from 1,768 to 1,995 square feet of living area. They have features with varying degrees of similarity as compared to the subject and are located in neighborhood code 423. They sold from September 2012 to December 2014 for prices ranging from \$312,500 to \$380,000 or from \$167.47 to \$200.79 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant asserted all of the board of review comparables are approximately 5 miles from the subject and comparable #4 sold in 2012.

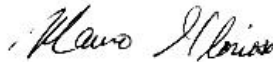
### **Conclusion of Law**

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 evidence in the record supports a reduction in the subject's assessment.

With regard to the recent sale argument, the Board gave less weight to the subject's 2013 sale since it was dated and less indicative of market value as of the subject's assessment date of January 1, 2015. The Board also gave less weight to the board of review comparable sales based on distance from the subject, older age as compared to the subject and/or dated sale from 2012. The Board gave less weight to the appellant's comparable sales #1, #2, #3 and #5 based on different neighborhood codes as compared to the subject. Despite its being located over a mile from the subject, the Board gave more weight to appellant's comparable #4 which was similar to

the subject in style, age, dwelling size and most features and is located in the same neighborhood code as the subject. This comparable sold for \$162,900 or for \$91.72 per square foot of living area including land. The subject's assessment reflects a market value of approximately \$214,080 or \$118.54 per square foot of living area, land included, which is not supported by the best comparable in the record. The Board finds the evidence in the record justifies a reduction in the subject's assessment.

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: 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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