



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

APPELLANT: Charles Ginsberg
DOCKET NO.: 15-39581.001-R-1 through 15-39581.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Charles Ginsberg, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-39581.001-R-1	20-08-318-009-0000	1,860	6,510	\$8,370
15-39581.002-R-1	20-08-318-010-0000	1,860	0	\$1,860

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 multi-family dwelling of frame construction with 2,232 square feet of living area. The dwelling was constructed in 1900. Features of the home include a full finished basement and a two-car garage. The property has two separate land parcels that total 3,100 square feet of land area and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-11 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 limited evidence disclosing the subject property was purchased on March 20, 2014 for a price of \$60,000. The appellant failed to complete the portions of Section IV-Recent Sale Data of the appeal form, which would have identified the length of time the property was marketed. The appellant did submit a copy of the sale contract, settlement statement and warranty deed,

however, this evidence does not reveal the length of market exposure. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal". The total assessment for the subject is \$10,230. The subject's assessment reflects a market value of \$102,300 or \$45.83 per square foot of living area, land included, when using the 2015 level of assessments 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 four comparable sales that occurred from March 2012 to April 2015 for prices ranging from \$215,000 to \$270,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant submitted rebuttal critiquing the board of review's submission.

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 finds the best evidence of market value in the record to be the board of review's comparable sale #1. This comparable was located within .25 of a mile from the subject and within the subject's neighborhood. This comparable was inferior to the subject in age, size, no finished basement area and no garage. The property also sold more proximate in time to the assessment date at issue than did the remainder of the board of review's comparables. The comparable sold for a price of \$229,000 or \$114.04 per square foot of living area, land included. The subject's assessment reflects a market value of \$102,300 or \$45.83 per square foot of living area, including land. The Board finds the subject's assessment is supported by the best comparable sale in this record. The Board gave less weight to the subject's sale due to the appellant failing to fully complete Section IV - Recent Sale Data of the appeal, which would have disclosed the length of time the subject was marketed. The appellant disclosed that the subject property was sold by the owner in settlement of a contract for deed. The appellant also submitted a copy of the sale contract, settlement statement and warranty deed, however, these documents do not reveal the length of market exposure, which is an important element of determining whether an arm's length transaction occurred. The appellant also failed to identify the Realtor or provide a copy of the Multiple Listing Service (MLS) listing sheet for the subject property, which further detracts from the weight that can be given the sale. The Property Tax Appeal Board's appeal form requires Section IV be completed when arguing overvaluation based on a recent sale. The Board gave less weight to the board of review's remaining comparable sales due to their sale dates occurring greater than 15 months prior to the assessment date at issue. 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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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



Acting 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: February 20, 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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