



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

APPELLANT: Tony Zakhem
DOCKET NO.: 15-40104.001-R-1
PARCEL NO.: 32-25-421-048-0000

The parties of record before the Property Tax Appeal Board are Tony Zakhem, 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 **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: \$2,217
IMPR.: \$3,853
TOTAL: \$6,070

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 property is improved with a multi-level dwelling of frame construction. The building contains 864 square feet of living area and is 45 years old. Features include a full basement with finished area. The subject is situated on an 8,871 square foot site located in Sauk Village, 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 contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted information on five comparable sales having the same neighborhood code as the subject. The comparables are described as multi-level dwellings built between 1961 and 1972 and ranging in size from 764 to 1,070 square feet of living area. They have varying degrees of similarity when compared to the subject. The properties sold between January 2014 and June 2015 for prices ranging from \$4,000 to \$35,000 or from \$3.74 to \$45.81 per square foot of living area, land

included. Based on this evidence the appellant asked that the subject's total assessment to be lowered to \$1,903.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$6,070. The subject's assessment reflects a market value of \$60,700 or \$70.25 per square foot of living area, land included, using the 10% level of assessment for class 2 property 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 sales comparables. Board of review comparable #3 is the same property as appellant's comparable #2 with a different sale date and sale amount. The comparables are described as Class 2-34 multi-level dwellings ranging in age from 42 to 44 years old and ranging in size from 770 to 905 square feet of living area. The comparables sold from February 2013 through October 2014 for prices ranging from \$61,000 to \$71,400 or from \$70.72 to \$92.73 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, the appellant's attorney claimed board of review comparables #1, #2 and #4 should be given less weight as these 2013 sales are too remote in time to establish market value as of January 1, 2015. Board of review sale #3 is an acceptable comparable sale. The appellant's attorney also claimed, when determining the best comparable sales in evidence, it is standard practice to use comparable sales that sold closest to the lien date. The attorney also stated, "Sales closest to the lien date are always more indicative of market value."

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 less weight to appellant's comparables #1 and #5 due to their dissimilar features and/or age as compared to the subject. The Board finds appellant's comparable #4 appears to be an outlier based on its lower sale price of \$4,000 when compared to all other sales in the record. The Board also gave less weight to board of review comparables #1, #2 and #4 due to their dated sales in 2013 not proximate in time to the subject's assessment date of January 1, 2015. The Board finds appellant's comparables #2 and #3 and board of review comparable #3 (same property as appellant's comparable #2) are most similar to the subject in location, age, style, dwelling size and features and sold proximate in time to the subject's assessment date. The Board finds appellant's comparable #2/board of review comparable #3 sold twice, once in June 2014, six months prior to the subject's assessment date, for \$20,000 or \$22.12 per square foot of living area including land and again in October 2014, three months prior to the subject's assessment date, for \$65,000 or \$71.90 per square foot of living area including land. According to the argument presented by the appellant's attorney in rebuttal, the second sale in October is more indicative of market value than the June sale. Therefore, the Board gave less weight to the June sale of appellant's comparable #2. The Board finds appellant's comparable #3 and board of

review comparable #3 most representative of market value in the record. These comparables sold within three months of the subject's assessment date for \$35,000 and \$65,000 or for \$45.81 and \$71.90 per square foot of living area including land. The subject's assessment reflects a market value of \$60,700 or \$70.25 per square foot of living area, land included, which is within the range established by the best comparables in the record. The Board finds the appellant did not prove by a preponderance of the evidence that the subject is overvalued and no reduction in the subject's assessment is warranted.

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: March 19, 2019



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

Tony Zakhem, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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