



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

APPELLANT: Harris-Newon Aimee  
DOCKET NO.: 15-40183.001-R-1  
PARCEL NO.: 29-04-103-048-0000

The parties of record before the Property Tax Appeal Board are Harris-Newon Aimee, the appellant, by attorney Anthony Lewis, of the Law Offices of Gary H. Smith 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:

**LAND:** \$3,827  
**IMPR.:** \$22,173  
**TOTAL:** \$26,000

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a Final Administrative 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 3-story, 12-unit residential apartment building of masonry exterior construction with a total of 9,576 square feet of building area. The dwelling was built in 1974. The property is situated on a 10,937-square foot site and is located in Riverdale, Thornton Township, Cook County. The property is a class 3-15 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by Patrick J. McCauley, an Illinois Certified General Real Estate Appraiser, estimating the subject property had a market value of \$200,000 as March 13, 2015.

The appraiser developed the sales comparison and the income approaches to value in arriving at the final value conclusion. Under the sales comparison approach to value, the appraiser utilized five properties which recently sold and one property which had a contract pending. All six properties were located in Riverdale. Five comparables are described as 2-story or 3-story apartment buildings with brick exterior that ranged in size 6,000 to 10,500 square feet of building area; and one comparable consists of five, 3-story apartment buildings of brick exterior construction containing a total of 42,000 square feet of building area. The comparables were each estimated to be built in the 1960's. Five comparables sold from September 2013 to June 2014 for prices ranging from \$90,460 to \$1,250,000 or from \$12.56 to \$29.76 per square foot of building area, including land. The appraiser then made adjustments to the comparables for differences from the subject and arrived at a value conclusion for the subject property under the sales comparison approach to value of \$180,000, rounded, or \$18.79 per square foot of building area, including land.

Under the income approach to value, the appraiser searched the market comparables in order to calculate a market rental rate for the subject which he used to calculate the subject's gross potential income of \$98,400. He then subtracted estimated 10% for losses due to vacancies and collection costs to arrive at an effective gross income of \$88,560. Then, after further subtracting out the allowable expenses and reserves for replacement costs, he arrived at a net operating income of \$29,798. The appraiser then calculated the capitalization rate of 13.75% and applied it to the net operating income to arrive at an estimated market value for the subject of \$215,000. Reconciling the two approaches to value, the appraiser arrived at the value conclusion for the subject property of \$200,000 or \$20.89 per square foot of building area, including land, as of March 13, 2015.

The appellant disclosed on the Industrial Appeal form that the subject's current total assessment is \$32,063 which reflects a market value of \$320,630 or \$33.48 per square foot of building area, including land, when using the Cook County Real Property Assessment Classification Ordinance level of assessment for class 3-15 property of 10%. The appellant also submitted a copy of the Final Administrative Decision of the Illinois Property Tax Appeal Board in Docket No. 14-33663.001-R-1 in which the subject's total assessment was determined to be \$26,000 in accordance with the agreement of the parties.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$26,000.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

### **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.

The Board finds the only evidence of market value to be the appraisal report submitted by the appellant estimating that the subject had a market value of \$200,000 or \$20.89 per square foot of building area, including land, as of March 13, 2015. The subject's assessment reflects a market value of \$320,630 or \$33.48 per square foot of building area, land included, which is above the appraised value.

The board of review did not submit any evidence in support of its assessment of the subject property as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to §1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board has examined the evidence submitted by the appellant and finds that a reduction in the assessed valuation of the subject property commensurate with the appellant's request 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: July 21, 2020



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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