



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

APPELLANT: Sherri Thompson Davis  
DOCKET NO.: 15-40609.001-R-1  
PARCEL NO.: 19-14-330-029-0000

The parties of record before the Property Tax Appeal Board are Sherri Thompson Davis, 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:** \$2,700  
**IMPR.:** \$21,156  
**TOTAL:** \$23,856

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 consists of a two-story mixed-use building of frame and masonry construction with 3,976 square feet of building area. The building is 92 years old. Features include a concrete slab foundation, central air conditioning and a two-car garage. The property has a 3,000 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-12 mixed-use 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 initially submitted evidence disclosing the subject property was purchased on February 22, 2013 for a price of \$70,000. The appellant's evidence also revealed the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 190 days. In further

support of the transaction the appellant submitted a copy of the settlement statement and the Multiple Listing Service (MLS) data sheet. The MLS data sheet noted that, "This is a bank owned property being sold in "AS-IS" condition."

In addition, the appellant submitted a spreadsheet containing information on four sales that were located within 1.65-miles of the subject property. The comparables were two-story multi-family buildings that ranged in size from 3,243 to 4,671 square feet of building area. The comparables were built in 1927 or 1930. The comparables each had full or partial unfinished basements and two-car or 2.5-car garages. The sales occurred in October or November 2014 for prices ranging from \$38,000 to \$103,000 or from \$11.72 to \$28.87 per square foot of building area, including land.

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 total assessment for the subject of \$26,807. The subject's assessment reflects a market value of \$268,070 or \$67.42 per square foot of building area, land included, when using the 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 a grid analysis containing information on four sales, two of which were located in the subject's neighborhood code. The comparables were similar 1.5-story or two-story buildings of masonry construction that ranged in size from 2,700 to 4,114 square feet of building area. The comparables ranged in age from 39 to 86 years old. Three of the comparables had partial basements, one of which was finished with an apartment, and one comparable had a 1.5-car garage. The sales occurred from April 2014 to October 2015 for prices ranging from \$231,000 to \$387,000 or from \$66.84 to \$106.61 per square foot of building area, including land.

The appellant submitted rebuttal criticizing the board of review's comparables for differences in location, age, style, size and/or because the sale was unadvertised.

### **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 parties submitted evidence of the 2013 sale of the subject property along with evidence on eight comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the 2013 sale of the subject property since it was sold in "as-is" condition and the sale is somewhat dated for a valuation as of January 1, 2015, particularly where the record contains more current sales evidence.

The Board has given reduced weight to appellant's comparable #4 as the sale price appears to be an outlier when compared to the other comparable sales in the record. The Board has also given reduced weight to board of review comparables #1 and #3 due to differences in age and size, respectively, when compared to the subject. The Board has also given reduced weight to board of review comparable #4 as the appellant's rebuttal filing depicted that this property was not advertised prior to its sale which results in questions about the arm's-length nature of the sales transaction.

The Board finds the best evidence of market value to be the appellant's comparable sales along with board of review comparable sale #2. These comparables sold for prices ranging from \$63,000 to \$275,000 or from \$18.64 to \$66.84 per square foot of living area, including land. The subject's assessment reflects a market value of \$268,070 or \$67.42 per square foot of living area, including land, which is above the range established by the best comparable sales in this record on a per-square-foot basis. After considering adjustments and the differences in the best suggested comparables when compared to the subject property, the Board finds a reduction in the subject's assessment is 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(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.

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Chairman



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Member

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Member



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Member

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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: December 23, 2019



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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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