



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

APPELLANT: Dimitris Mellos  
DOCKET NO.: 16-21673.001-R-1  
PARCEL NO.: 11-32-310-016-0000

The parties of record before the Property Tax Appeal Board are Dimitris Mellos, the appellant, by attorney Spiro Zarkos, of Verros Berkshire, PC 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:** \$4,574  
**IMPR.:** \$37,926  
**TOTAL:** \$42,500

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2016 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 three-story multi-family dwelling of masonry exterior construction with 7,080 square feet of living area. The dwelling is approximately 99 years old. Features include a full unfinished basement and a two-car detached garage. The property has a 3,519 square foot site and is located in Chicago, Rogers Park Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation inequity as the bases of the appeal. In support of this argument the appellant disclosed the subject was purchased February 8, 2016 for a price of \$425,000 as set forth in Section IV-Recent Sale Data of the appeal petition. The appellant disclosed the parties to the transaction were not related. To document the sale, the

appellant submitted a copy of the Settlement Statement revealing the amount of Broker's Fees paid at settlement.

In support of the inequity argument the appellant submitted information on four equity comparables located from 1.50 to 2.0 miles from the subject property. The comparables consist of three-story multi-family dwellings that range in age from 89 to 97 years old. The comparables have features with varying degrees of similarity when compared to the subject. The dwellings range in size from 6,871 to 7,347 square feet of living area and are situated on sites that contain from 4,686 to 7,714 square feet of land area. The comparables have improvement assessments ranging from \$35,042 to \$36,471 or from \$4.88 to \$5.13 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$50,806. The subject's assessment reflects a market value of \$508,060 or \$71.76 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The subject property has an improvement assessment of \$46,232 or \$6.53 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables located within the same neighborhood assessment code as the subject property. The comparables are improved with one, three-story and two, two-story multi-family dwellings that are 97 or 113 years old. The comparables have varying degrees of similarity when compared to the subject. The dwellings contain 7,260 or 7,291 square feet of living area and are situated on sites that contain 3,906 or 5,376 square feet of land area. The comparables have improvement assessments of \$48,339 and \$58,095 or \$6.63 and \$8.00 per square foot of living area.

The board of review failed to provide any sales data in order to address the appellant's overvaluation argument.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellant contends in part 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 on this basis.

The Board finds the best evidence of market value to be the purchase of the subject property in February 2016 for a price of \$425,000. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related and in further support of the transaction the appellant submitted a copy of the Settlement Statement revealing the amount of Broker's Fees paid at settlement. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any

evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record the Board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment is justified on this basis.

The taxpayer also contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The parties submitted seven equity comparables for the Board consideration. After considering the subject's assessment reduction granted based on the appellant's overvaluation claim, the Board finds no further reduction 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.

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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: June 18, 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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