



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

APPELLANT: Starry Real Estate
DOCKET NO.: 16-21915.001-R-1
PARCEL NO.: 28-35-415-009-0000

The parties of record before the Property Tax Appeal Board are Starry Real Estate, the appellant, by attorney George J. Relias, of Relias Law Group, Ltd. 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: \$1,800
IMPR.: \$4,000
TOTAL: \$5,800

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 split-level dwelling of frame exterior construction with 1,086 square feet of living area. The dwelling is approximately 36 years old. Features of the home include a full unfinished basement¹ and a 1-car garage. The property has a 7,200 square foot site and is located in Hazel Crest, Bremen 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 overvaluation as the basis of the appeal. In support of this argument the appellant disclosed the subject sold November 24, 2015 for a price of \$58,000 and had been advertised for sale for 23 days as set forth in Section IV-Recent Sale Data of the appeal petition.

¹ The appellant's grid analysis reported a full unfinished basement, although the assessing officials reported a partial finished basement. The Property Tax Appeal Board finds the discrepancy does not prohibit making a determination of the correct assessment.

To document the sale, the appellant submitted a copy of the PTAX-203, Illinois Real Estate Transfer Declaration, the Real Estate Contract and the Multiple Listing Service sheet.

In support of the overvaluation argument, the appellant also submitted three comparable sales. One comparable is located within the same neighborhood assessment code as the subject property. The comparables consist of one, split-level and two, 2-story dwellings that range in age from 24 to 43 years old. Two of the comparables have partial unfinished basements and 2-car garages. The dwellings range in size from 1,262 to 2,030 square feet of living area and are situated on sites ranging in size from 6,741 to 9,629 square feet of land area. The comparables sold from May 2015 to July 2016 for prices ranging from \$60,000 to \$72,500 or from \$31.93 to \$55.86 per square foot of living area including land. Based on this evidence, the appellant requested the total assessment be reduced to \$4,263.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$7,035. The subject's assessment reflects a market value of \$70,350 or \$64.78 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.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within the same neighborhood assessment code as the subject property. The comparables consist of multi-level dwellings that range in age from 40 to 42 years old. The comparables have partial finished basements and 1-car or 2-car garages. One comparable has central air conditioning; one comparable has a fireplace. The dwellings range in size from 935 to 1,244 square feet of living area and are situated on sites ranging in size from 7,200 to 8,619 square feet of land area. The comparables sold in June or August 2015 for prices ranging from \$98,000 to \$130,000 or from \$87.62 to \$139.04 per square foot of living area including land.

The board of review also disclosed the subject sold December 2016 for a price of \$138,000 or \$127.07 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 Board finds the best evidence of market value to be the purchase of the subject property in November 2015 for a price of \$58,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related and that the property had been advertised for sale by a realtor. In further support of the transaction the appellant submitted a copy of the Real Estate Contract, the PTAX-203 and the MLS sheet. The

Board finds the purchase price is below the market value reflected by the assessment. Additionally, the Board gave less weight to the appellant's sales comparables due to their larger dwelling sizes when compared to the subject property.

The Board also finds the board of review did not present any evidence to challenge the arm's length nature of the transaction and was not able to refute the contention that the purchase price was reflective of market value. Board gave less weight to the board of review sales comparables due to their larger or smaller dwelling sizes when compared to the subject property. Furthermore, the Board finds the board of review's evidence disclosing the subject's sale date of December 2016 is less proximate in time to the January 1, 2016 assessment date at issue than the appellant's sale date of November 2015.

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 be reduced to reflect the purchase price.

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: June 18, 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

Starry Real Estate, by attorney:
George J. Relias
Relias Law Group, Ltd.
150 South Wacker Drive
Suite 1600
Chicago, IL 60606

COUNTY

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