



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

APPELLANT: Umesh & Vaishali Patel
DOCKET NO.: 16-26406.001-R-1
PARCEL NO.: 08-13-308-007-0000

The parties of record before the Property Tax Appeal Board are Umesh & Vaishali Patel, the appellant(s), by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, 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 **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: \$4,062
IMPR.: \$17,938
TOTAL: \$22,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 an 8,125 square foot parcel of land improved with a 55-year old, one-story, masonry, single-family dwelling containing 1,696 square feet of building area. The property is located in Des Plaines, Elk Grove Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contends overvaluation and inequity as the bases of the appeal. In support of the market value argument, the appellant submitted a copy of the settlement statement disclosing that the subject was purchased on October 29, 2015 for \$220,000 or \$129.72 per square foot of building area. The settlement statement discloses real estate brokerage fees paid. The appellant then applies an incorrect median level of assessment to arrive at a requested assessment.

In support of the equity argument, the appellant submitted five comparables. The properties are described as one or one and one-half story, masonry or frame and masonry, single-family dwellings. They range: in age from 54 to 68 years; in size from 1,560 to 1,683 square feet of building area; and in improvement assessment from \$9.07 to \$12.87 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's assessment of \$22,000 with an improvement assessment of \$17,938 or \$10.58 per square foot of building area. The subject's total assessment reflects a market value of \$220,000 or \$129.72 per square foot of building area using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of the assessment the board of review submitted four sales comparables. The properties are described as one-story, masonry or frame or frame and masonry, single-family dwellings. They range: in age from 43 to 56 years; in size from 1,007 to 1,201 square feet of building area; in sale date from November 2014 to October 2016; and in sale price from \$199.83 to \$278.05 per square foot of building area. The board of review also listed the sale of the subject in October 2015 for \$220,000.

The board of review also submitted a supplemental brief arguing that the median level of assessment should not apply as the analysis submitted by the appellant is flawed and unsupported.

In support of the equity argument, the board of review submitted four comparables. The properties are described as one-story, masonry, single-family dwellings. They are 55-years old, contain from 1,403 to 1,456 square feet of building area, and have improvement assessment from \$12.86 to \$16.27 per square foot of building area.

Conclusion of Law

The appellants contend 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 best evidence of market value to be the purchase of the subject property in October 2015 for a price of \$220,000. The Board further finds that the subject's current assessment reflects a market value at the purchase price based on the Cook County Real Estate Classification Ordinance level of assessment. The Board further finds the appellant's median level of assessment evidence is incorrect and unsupported. The Board finds the appellant failed to show by a preponderance of the evidence that the subject was overvalued and a reduction in the assessment is not warranted.

The taxpayers 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 best evidence of assessment equity to be the appellant's comparables #, #3, and #4 and the board of review's comparables. These comparables had improvement assessments ranging from \$9.07 to \$16.27 per square foot of building area. The remaining comparables were given diminished weight for differences in construction or design. The subject's improvement assessment of \$10.58 per square foot of building area is within the range of the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not 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.



Chairman



Member



Member



Member



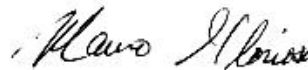
Member

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: April 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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