



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

APPELLANT: Frank Deamont
DOCKET NO.: 16-34043.001-R-1
PARCEL NO.: 14-31-109-002-0000

The parties of record before the Property Tax Appeal Board are Frank Deamont, 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 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: \$12,500
IMPR.: \$40,050
TOTAL: \$52,550

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 3,125 square foot parcel of land improved with a 122-year old, two-story, masonry, multi-family dwellings containing 2,102 square feet of building area. The property is located in Chicago, West Township, Cook County and is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends inequity and overvaluation as the bases of the appeal. In support of the equity argument, the appellant submitted five comparables. The properties are described as one and one-half or two-story, masonry or frame, multi-family buildings. They range: in age from 23 to 125 years; in size from 2,046 to 2,184 square feet of building area; and in improvement assessment from \$12.77 to \$17.43 per square foot of building area.

In support of the market value argument, the appellant submitted the sale of one property as proof of the subject's market value. This property is a two-story, masonry, multi-family dwelling containing 3,125 square feet of building area and sold in July 2016 for \$350,000 or \$112.00 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$52,985 with an improvement assessment of \$40,485 or \$19.26 per square foot of building area. The total assessment reflects a market value of \$529,850 or \$252.07 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 based on equity, the board of review submitted four equity comparables. These properties are described as two-story, masonry, multi-family buildings. They range: in age from 116 to 127; in size from 1,724 to 2,343 square feet of building area; and in improvement assessments from \$21.20 to \$20.76 per square foot of building area.

In support of the assessment based on market value, the board of review submitted three sales comparables. These properties are described as one and one-half or two-story, masonry or frame, multi-family buildings. They are 117 or 125-years old and contain from 1,767 to 2,452 square feet of building area. They sold from June to December 2013 for prices ranging from \$203.92 to \$286.93 per square foot of building area.

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 parties submitted a total of four comparables in support of the subject's market value. The Board finds the best comparables to be the appellant's one comparable and the board of review's comparables #1 and #3. They sold from June 2013 to July 2016 for prices ranging from \$112.00 to \$251.85 per square foot of building area. In comparison, the subject's assessment reflects a market value of \$252.07 per square foot of building area which is above the purchase prices of the comparables in the record. Based on this record the Board finds the appellant did demonstrate with clear and convincing evidence that the subject was overvalued and a reduction in the subject's assessment is justified. The Board further finds that the subject is equitably assessed after a market value reduction.

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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