



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

APPELLANT: Mark Krajewski
DOCKET NO.: 16-40830.001-R-1
PARCEL NO.: 17-06-114-056-1001

The parties of record before the Property Tax Appeal Board are Mark Krajewski, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$ 2,711
IMPR.: \$15,789
TOTAL: \$18,500

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 condominium unit situated in an 11-year old, multi-story, masonry, multi-family dwelling containing a total of eight, individually owned condominium units. The property has a 5,218 square foot site and is located in West Chicago Township, Cook County. The subject is classified as a class 2-99, residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's pleadings reflect several incomplete filings with the final submission received by the Board on or about March, 2018. Pursuant to the appellant's brief and multiple documents, the appellant, Mark Krajewski doing business as MK Western Properties LLC, based its appeal on overvaluation. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on August 29, 2013 for a price of \$185,000 by MK Western

Properties LLC. In addition, copies of the sale's settlement statement; the subject's closing statement; and the subject's warranty deed as recorded at the Cook County Recorder of Deeds office were submitted. All support documentation reflect the subject's purchase by MK Western Properties LLC.

In completing the appeal's section IV, the appeal indicated that the sale was not between related parties; that the subject was advertised for sale on the open market; that the seller's mortgage was not assumed; and that the purchase was a contract for deed. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price. The appellant then applied an incorrect median level of assessment to arrive at a requested assessment of \$18,389.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,137. The subject's assessment reflects a market value of \$271,370 land included, when using the level of assessment for class 2, residential 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 one-page document listing each of the eight units' PINs and assessment data as well as a building analysis based on one sale within the subject's building. The sale relied on by the board of review occurred on July 1, 2015 for a value of \$327,500. The board of review's analysis applied a 1% adjustment factor resulting in a deduction of \$3,275 indicating a total adjusted consideration of \$324,225. Using 15.52% ownership for the unit sold, the analysis indicated a full value for all of the condominium units of \$2,089,078 and a value for the unit under appeal of \$174,898.

There was no written rebuttal submitted by the appellant.

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 on August 29, 2013 for a price of \$185,000 by Mark Krajewski doing business as MK Western Properties LLC. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. In support of the transaction, the appellant submitted copies of: the settlement statement, the closing statement, and the warranty deed from the Cook County Recorder of Deed's website. 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. Rather, the board of review used one other sale within the subject's building in an analysis of the building's value. Further, the Board finds that the solitary

sale used by the board of review in its condominium analysis results in a market value estimate that supports the subject's sale price.

Based on this record, the Board finds the subject property had a market value of \$185,000 as of January 1, 2016. Further, the Board finds the appellant submitted incorrect and unsupported median level of assessment evidence. Therefore, since market value has been determined, the Board shall apply the level of assessment for class 2, residential property under the Cook County Real Property Assessment Classification Ordinance of 10%. 86 Ill.Admin.Code §1910.50(c)(2)

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 16, 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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