



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

APPELLANT: Inverclyde, LLC
DOCKET NO.: 16-43954.001-R-1
PARCEL NO.: 29-22-107-009-0000

The parties of record before the Property Tax Appeal Board are Inverclyde, LLC, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin 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 **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: \$2,700
IMPR.: \$7,562
TOTAL: \$10,262

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2015 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 multi-level dwelling of frame construction with 988 square feet of living area. The dwelling was approximately 45 years old. Features of the home include a partial basement with finished area and a two-car garage. The property has a 7,200 square foot site and is located in South Holland, Thornton Township, Cook County. The subject is classified as a class 2-34 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation and a contention of law. In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased on December 17, 2014 for a price of \$82,000. A copy of the Settlement Statement reflecting the purchase price and settlement date was also submitted along with the sales contract and the Illinois Real Estate Transfer Declaration.

The appellant also submitted a copy of the decision issued in Docket No. 15-39719.001-R-1 which was issued based upon the appellant's evidence and the default of the Cook County Board of Review for not timely filing evidence. The decision indicated that the correct total assessment for the subject property for tax year 2015 was \$8,990.

Based on this evidence and argument, the appellant requested a reduction in the subject's assessment to reflect the purchase price for a total assessment of \$8,200.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$10,262. The subject's assessment reflects a market value of \$102,620 or \$103.87 per square foot of living area, land included, when using using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

As part of its comparable sales grid analysis, the board of review also reported that the subject property sold in January 2016 for a price of \$744,830 or \$753.88 per square foot of living area. No other data concerning this sale was provided to establish that it was an arm's-length transaction. Furthermore, the board of review did not request an increase in the assessment of the subject property due to this 2016 sale.

In support of the subject's assessment, the board of review submitted information on three comparables, one of which has sales data. The comparable properties are located in the same neighborhood code assigned by the assessor as the subject. The comparables consist of multi-level frame or masonry dwellings that are either 35 or 46 years old. The dwellings range in size from 988 to 1,304 square feet of living area and are situated on sites of either 6,820 or 7,200 square feet of land area. Each comparable has a partial basement with finished area, two of the comparables have central air conditioning, one comparable has a fireplace and each comparable has a two-car garage. Comparable #3 sold in June 2015 for \$130,900 or for \$100.38 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Counsel for the appellant provided a written rebuttal reiterating that the 2015 assessment be "rolled over to the tax year 2016."

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted data concerning a 2014 sale of the subject property, a 2016 sale of the subject property and a 2015 sale of a comparable property of similar location, lot size, style, age, foundation and some features to support their respective positions before the Property Tax

Appeal Board. The Board gave little weight to the subject's 2014 sale price due to the fact the sale did not occur as proximate in time to the assessment date at issue as did the other sale contained in the record. Similarly, the Board gave reduced weight to the reported 2016 sale of the subject as the sale price appears to be an outlier when compared to the other sales evidence in the record and due to the lack of evidence to indicate the 2016 sale was an arm's length transaction.

The Board finds the best evidence of comparable market value in the record to be comparable sale #3 submitted by the board of review. The sold proximate in time to the assessment date at issue in June 2015 for \$130,900 or \$100.38 per square foot of living area, including land. The subject's assessment reflects a market value of \$102,620 or \$103.87 per square foot of living area, including land, which is below the best and most proximate comparable sale to the assessment date of January 1, 2016 in this record.

In conclusion, the Board finds the subject's assessment is not excessive 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: December 23, 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

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