



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

APPELLANT: Jose Martinez
DOCKET NO.: 17-20678.001-R-1
PARCEL NO.: 11-31-214-042-0000

The parties of record before the Property Tax Appeal Board are Jose Martinez, 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: \$3,913
IMPR.: \$16,970
TOTAL: \$20,883

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 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2017 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 3,010 square foot parcel of land improved with a 121-year old, one and one-half story, frame, single-family dwelling containing 1,331 square feet of building area. The property is located in Chicago, Rogers Park Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and inequity as the bases of the appeal. In support of the market value argument, the appellant submitted a copy of an invoice for title charges which disclosed that the subject was purchased in November 2014 for \$149,900.

In support of the equity argument, the appellant data on five comparables. These properties are described as one or one and one-half story, masonry or stucco or frame, single-family dwellings.

They range: in age from 95 to 124 years; in size from 1,248 to 1,532 square feet of building area; and in improvement assessment from \$10.27 to \$11.61 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's assessment of \$20,883 which reflects a market value of \$208,830 using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. The appellant has an improvement assessment of \$16,970 or \$12.75 per square foot of building area.

In support of the current assessment, the board of review submitted four equity comparables with sales information on two. These properties are described as one and one-half story, frame, single-family dwellings. They range: in age from 107 to 122 years; in size from 1,056 to 1,206 square feet of building area; and in improvement assessment from \$13.19 to \$15.21 per square foot of building area. Comparables #3 and #4 sold in April 2014 and February 2017 for \$170.83 and \$262.44 per square foot of building area, respectively.

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 failed to submit sufficient evidence to support the subject's sale at arm's length. The appellant submitted a bill for title charges which is unsigned and does not reflect the date of sale, any real estate brokers involved in the sale, or even the sale price. The document lists a policy amount which requires the Board to assume this is the final sale price. Moreover, the two sales comparables submitted by the board of review support the subject's market value based on the assessment. Based on this record the Board finds the appellant failed to show by a preponderance in the evidence that the subject was overvalued and a reduction based on market value is not warranted.

The appellant 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 comparable #5 and the board of review's comparables #2, #3, and #4. These comparables had improvement assessments ranging from \$11.61 to \$14.71 per square foot of building area. The remaining comparables were given diminished weight for differences in design or size. The subject's improvement assessment of \$12.75 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: September 15, 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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