



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

APPELLANT: Catherine Bastys
DOCKET NO.: 17-26960.001-R-1
PARCEL NO.: 22-32-211-038-0000

The parties of record before the Property Tax Appeal Board are Catherine Bastys, 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 **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: \$2,004
IMPR.: \$30,523
TOTAL: \$32,527

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 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 one-story townhome of masonry exterior construction with 1,724 square feet of living area. The dwelling is approximately 12 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a two-car garage. The property has a 3,486 square foot site and is located in Lemont, Lemont Township, Cook County. The subject is classified as a class 2-95 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal and marked recent sale and comparables sale on the residential appeal form; but did not complete the information on the appeal form under Section IV-Recent Sale Data. As part of the evidence, the appellant's attorney submitted the Cook County board of review final decision, a supplemental brief, a sales analysis along with copies of the Multiple Listing Service data sheets or printouts from the Cook

County Recorder of Deeds, and copies of the HUD-1 settlement statement and warranty deed associated with the sale of the subject property.

In support of the overvaluation argument, the appellant submitted information on 19 comparable sales including the sale of the subject property identified as comparable sale #15 which sold on December 16, 2014 for \$285,000. The comparables are located within the same neighborhood code as the subject property and have lots sizes ranging from 2,012 to 3,486 square feet of land area. The comparables are improved with class 2-95 dwellings of masonry exterior construction ranging in size from 1,724 to 2,474 square feet of living area.¹ The dwellings range in age 12 to 16 years old and have other features with varying degrees of similarity to the subject property. These comparables sold from June 2014 to October 2017 for prices ranging from \$270,000 to \$367,000 or from \$123.28 to \$168.70 per square foot of living area, including land.

In the supplemental brief, the appellant's attorney indicates the subject's 2014 purchase price is reflective of a property value of \$285,000 which supports the sales comparison approach. Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$28,500. The requested assessment would reflect a total market value of \$285,000 or \$165.31 per square foot of living area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$32,527. The subject's assessment reflects a market value of \$325,270 or \$188.67 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparables properties with equity data and one of which also sold. The comparables equity data will not be included in the Board's analysis as it is not responsive to the appellant's overvaluation argument.

The board of review comparable sale #4 is located within a different neighborhood code than the subject property. The comparable has a lot size of 1,911 square feet of land area and is improved with a class 2-95, one-story dwelling of frame and masonry exterior construction with 1,274 square feet of living area. The dwelling is 4 years old and has a partial basement with finished area, central air conditioning, and a two-car garage. The comparable sold in October 2014 for \$337,950 or \$265.27 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

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

¹ The appellant's Multiple Listing Service data sheets describe two of the appellant's comparables as duplexes; however, the appellant's grid analysis depicts the comparables as having the same "2-95" classification code as the subject.

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.

Both parties submitted a total of 20 suggested comparable sales for the Board's consideration. The Board finds the best evidence of market value are the appellant's comparable sales #3, #6, and #9 because they are most similar to the subject in lot sizes and dwelling sizes as well as other property characteristics. In addition, the comparable sales also sold more proximate in time to the January 1, 2017 assessment date at issue. These three comparables sold from July 2016 to August 2017 for prices ranging from \$326,000 to \$360,000 or from \$152.76 to \$168.70 per square foot of living area, including land. The subject's assessment reflects a market value of \$325,270 or \$188.67 per square foot of living area, including land, which falls below the total market values of the best comparable sales in this record, but above on a per-square-foot basis. However, after considering adjustments to the best comparables for differences when compared to the subject, such as their larger dwelling sizes, the Board finds a reduction in the subject's assessment is not justified. Accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher per-square-foot value is justified given the subject's smaller size.

The Board gives less weight to the appellant's remaining comparable sales and the board of review comparable sale #4, due to their differences when compared to the subject or their sale dates occurring less proximate in time to the January 1, 2017 assessment date at issue. As to the appellant's recent sale of the subject property that occurred on December 16, 2014, the Board finds the sale is dated and less likely to reflect the subject's market value as of the January 1, 2017 assessment date. Based on this evidence the Board finds 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:

May 18, 2021



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

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