



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

APPELLANT: Richard Sassan
DOCKET NO.: 17-28946.001-R-1
PARCEL NO.: 03-27-306-017-0000

The parties of record before the Property Tax Appeal Board are Richard Sassan, the appellant(s); 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: \$5,494
IMPR.: \$31,506
TOTAL: \$37,000

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 parcel of land improved with a 22-year old, two-story, frame, single-family dwelling containing approximately 2,529 square feet of building area. The property is located in Wheeling Township, Cook County and is a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of the market value argument, the appellant submitted an appraisal estimating the subject property had a market value of \$370,000 as of December 14, 2016. The appraiser utilized the sales comparison approach to estimate the subject's market value.

In the sales comparison approach, the appraiser analyzed three sales and made adjustments to these sales in estimating the subject's market value. These sales are described as two-story, frame or frame and masonry, single-family dwellings between 18 and 27 years and containing

between 1,853 and 3,185 square feet of building area. They sold from August to November 2016 for prices ranging from \$123.55 to \$207.77 per square foot of building area. After adjustments to these comparables for pertinent factors, the appraisal estimates a market value for the subject under the sales comparison approach of \$370,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$40,647. The subject's assessment reflects a market value of \$406,470 using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of the assessment the board of review submitted raw data on four sales comparables. These properties are described as two-story, frame or frame and masonry, single-family dwellings containing between 2,315 and 3,460 square feet of building area. They sold from March 2014 to August 2016 for prices ranging from \$182.33 to \$236.23 per square foot of building area.

At hearing, the appellant, Richard Sassan, stated that the subject has historically had an assessed value that is 30% more than the neighbors. He opined that this increase was because he always contests his assessment. He opined that the best indicator of the value of the subject is the December 14, 2016 appraisal with a value of \$370,000.

Mr. Sassan testified that the subject is unique in that it is located across the street from a lifestyle shopping mall and on a busy street. He testified that he cannot turn left when leaving his property due to the median in the road and must turn right and then make a "U-turn" to go north on his street. He stated the same can be said of turning into his property when traveling north on the subject's street. He opined that there are no properties that are similar to the subject in location on a busy street and the mall. Mr. Sassan testified that he has no personal knowledge of the comparables used in the appraisal, but asserted that comparable #1 is located on a busy street.

Under cross-examination, the appellant acknowledged that the appraisal's comparables are not located across from a mall and only one property is on a busy street.

The board of review's representative, Maria Martinez, argued that the comparables in the appraisal are not located across the street from a mall and two are over 1.59 miles away from the subject. She testified that the board of review's comparables are similar to the subject in size and amenities and are valued higher than the subject. She argued that the subject is assessed at the correct value.

In rebuttal, Mr. Sassan argued that the sale prices for the board of review's comparables show that the subject is not similar to these properties because the subject would never sell for those values. He testified he does not have personal knowledge of these comparables, but that they are not located anywhere near the subject. He argued that the board is not comparing apples to apples when using these comparables.

The board of review's representative argued that the appraisal did not utilize sales located across the street from properties. She argued that the fact that the board of review's comparables are not located across the mall should be given the same consideration as the appraisal's comparables.

The board of review argued that one of the appraisal's comparables is a foreclosure sale and this sale should be discounted. She also objected to any testimony from the appellant about the conditions of the appraisal's comparables as the appellant does not have any personal knowledge of these comparables.

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 best evidence of market value to be the appraisal submitted by the appellant. The subject's assessment reflects a market value above the best evidence of market value in the record. The appellant's appraiser utilized the sales comparison approach to value in determining the subject's market value. The Board finds this appraisal to be persuasive because the appraiser personally inspected the subject property, reviewed the property's history, and used similar properties in the sales comparison approach while providing adjustments that were necessary.

The Board gives little weight to the board of review's comparables as the information provided was unadjusted, raw sales data. The Board also gives no weight to the board of review's argument that a foreclosure sale should not be considered in valuing the subject. The Property Tax Code states "[t]he Property Tax Appeal Board shall consider compulsory sales of comparable properties for the purpose of revising and correcting assessments, including those compulsory sales of comparable properties submitted by the taxpayer." 35 ILCS 200/16-183.

Therefore, the Board finds the subject property had a market value of \$370,000 as of the assessment date at issue. Since market value has been established the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10% shall apply.

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

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