



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

APPELLANT: Osman Omeralic
DOCKET NO.: 17-39036.001-R-1
PARCEL NO.: 13-01-112-027-0000

The parties of record before the Property Tax Appeal Board are Osman Omeralic, 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: \$6,547
IMPR.: \$35,653
TOTAL: \$42,200

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 two-story multi-family building of masonry exterior construction with 3,402 square feet of building area. The building is approximately 55 years old. Features of the building include a full unfinished basement, central air conditioning and a two-car garage. The property has a 4,092 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends both overvaluation and assessment inequity as the bases of the appeal. The land assessment was not contested.

In support of the overvaluation argument, the appellant submitted information on four comparable sales located within the same assessment neighborhood code as the subject property.

The comparables each have 4,092 square feet of land area. The comparables are improved with class 2-11, multi-family buildings of masonry exterior construction ranging in size from 3,326 to 5,385 square feet of building area. The buildings range in age from 54 to 86 years old. The comparables have full unfinished basements. One comparable has central air conditioning and three comparables have two-car or three-car garages. The comparables sold from January 2016 to October 2017 for prices ranging from \$365,000 to \$602,500 or from \$68.93 to \$118.76 per square foot of building area, including land.

In support of the inequity argument, the appellant provided information on five comparable properties that were located in the same assessment neighborhood code as the subject property. The comparables are improved with class 2-11, two-story multi-family buildings of frame or masonry exterior construction ranging in size from 3,300 to 3,922 square feet of building area. The buildings range in age from 30 to 65 years old. Three comparables have full basements with either apartments or formal recreation rooms. Two comparables have central air conditioning, one comparable has two fireplaces and a two-car garage. The comparables have improvement assessments that range from \$30,261 to \$37,666 or from \$8.00 to \$9.81 per square foot of building area.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$42,200. The requested assessment would reflect a total market value of \$422,000 or \$124.04 per square foot of building 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 request would lower the subject's improvement assessment to \$26,787 or \$7.87 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$42,200. The subject's assessment reflects a market value of \$422,000 or \$173.40 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%. The subject property has an improvement assessment of \$35,653 or \$10.48 per square foot of living area.

In response to the appeal, the board of review submitted information on two comparables located within the same assessment neighborhood code as the subject.¹ The comparables have lots with either 3,720 or 6,138 square feet of land area and were improved with class 2-11, multi-level buildings of masonry exterior construction. The comparables have 3,640 and 3,715 square feet of building area and are 61 and 65 years old, respectively. Each comparable has a full basement with one having a formal recreation room. One comparable has a 1.5-car garage. The comparables sold in December and October 2016 for prices of \$124,000 and \$575,000 or \$34.07 and \$154.78 per square foot of building area, including land, respectively. The comparables have improvement assessments of \$33,306 and \$37,118 or \$9.15 and \$9.99 per square foot of building area, respectively.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

¹ Comparables #1 and #3 appear to be the same property.

Conclusion of Law

The appellant contends, in part, that 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 a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #2 and #4 due to their significantly larger dwelling sizes. The Board also gave less weight to board of review comparable #1 which appears to be an outlier as it sold considerably less than the other sales in the record in terms of overall price and price per square foot.

The Board finds the best evidence of market value to be the appellant's comparable sale #3 along with board of review comparable sale #2 which are relatively similar to the subject in location, age, and dwelling size but have varying degrees of similarity in features. These most similar comparables sold in March and October 2016 for prices of \$395,000 and \$575,000 or \$118.76 and \$154.78 per square foot of building area, including land. The subject's assessment reflects a market value of \$422,000 or \$173.40 per square foot of building area, including land which is bracketed by the two best comparable sales on overall price but falls above on a price per square foot basis. However, after considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction in the subject's assessment is not justified.

Additionally, the taxpayer contends assessment inequity as another 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven equity comparables to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to appellant's comparables #1, #4 and #5 due to differences in foundation type or age when compared to the subject. The Board finds the remaining comparables have varying degrees of similarity to the subject in dwelling size, age and features. These comparables have improvement assessments that range from \$30,261 to \$37,118 or from \$9.17 to \$9.99 per square foot of living area. The subject's improvement assessment of \$35,653 or \$10.48 per square foot of living area falls within the overall improvement assessment range established by the comparables in this record but slightly

above the improvement assessment per square foot range. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, 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.

In conclusion, having examined the entire record, the Board finds that no change in the subject's assessment is warranted based either upon grounds of overvaluation or assessment inequity.

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:

October 19, 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

AGENCY

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