



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

APPELLANT: Stella Budz
DOCKET NO.: 17-39129.001-R-1
PARCEL NO.: 27-09-215-031-0000

The parties of record before the Property Tax Appeal Board are Stella Budz, 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: \$4,303
IMPR.: \$34,453
TOTAL: \$38,756

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 masonry apartment building containing four apartment units with 3,418 square feet of building area. The building was constructed in 1967 and is approximately 51 years old with a reported effective age of 35 years. Features include a crawl-space foundation. The property has a 10,125 square foot site and is located in Orland Park, Orland 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 overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by William P. Neberieza which was prepared in January 2018. The retrospective appraisal report estimated the subject property had a market value of \$340,000 as of January 1, 2017.

The appraiser utilized the sales comparison approach to arrive at the appraisal's opinion. As part of the report, the subject's site was noted as an adverse condition in that it backs to commercial property on LaGrange Road. The appraiser asserted that this location causes external obsolescence from heavy traffic on LaGrange Road which causes excessive odor, noise, pollution plus exhaust fumes from trucks unloading to commercial properties (Appraisal, p. 1). An aerial photograph was also supplied depicting the subject's location in relation to these nearby properties and LaGrange Road.

Neberieza analyzed three comparable sales, two of which were located on the same street as the subject and which were within .17 of a mile from the subject. The comparables were similar to the subject in lot size, design as four-unit apartment buildings, age, foundation type and most features. These comparables sold from October 2014 to September 2015 for prices ranging from \$360,000 to \$380,000 or from \$98.64 to \$109.45 per square foot of building area, including land. The appraiser made a \$20,000 downward adjustment to each of the comparables for location that was "average" as compared to the subject's "fair" location. The remaining adjustments were for differences when compared to the subject in bathroom count, dwelling size and/or garage amenity. From this process the appraiser set forth adjusted sales prices ranging from \$330,300 to \$344,300 and opined a value for the subject of \$340,000 or \$99.47 per square foot of building area, including land.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion at the 10% level of assessment for class 2 property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$38,756. The subject's assessment reflects a market value of \$387,560 or \$113.39 per square foot of building area, including land, when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that were located within the same neighborhood code as the subject and comparable #1 was within ¼ of a mile of the subject. The comparables were similar class 2-11 buildings of similar age and size. Each comparable was superior to the subject in foundation type by having full or partial basements and two of the comparables were inferior to the subject with substantially smaller lot sizes. These comparables sold from May 2016 to December 2017 for prices ranging from \$389,750 to \$450,000 or from \$107.97 to \$136.36 per square foot of building area, including land.

Based on this evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its assessment.

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 appellant submitted an appraisal of the subject property and the board of review submitted four comparable sales to support their respective positions before the Property Tax Appeal Board. Having thoroughly examined the appellant's appraisal report, the Board gives little weight to the value conclusion determined utilizing the sales comparison approach as the appraiser made substantial unsupported location adjustments to each of the comparable sales and utilized dated comparable sales when, as shown in the board of review's evidence, there were more recent comparable sales that were available for analysis. The Board does not find the conclusory statement concerning the subject's adverse condition in its location to be supported given the aerial photograph depicting that distance of the subject property from LaGrange Road. In addition, two of the comparable sales were located just to the west of the subject and would presumably have somewhat similar impact from LaGrange Road, if this were truly an adverse condition. Given this concern related to the location adjustment applied to each of the comparables and the failure to utilize more recent comparable sales that were available at the time the report was prepared, the Board finds the appraiser's value conclusion is not a credible or reliable indicator of the subject's estimated market value as of the assessment date.

The courts have stated that where there is credible evidence of comparable sales these sales are to be given significant weight as evidence of market value. In Chrysler Corporation v. Property Tax Appeal Board, 69 Ill. App. 3d 207 (2nd Dist. 1979), the court held that significant relevance should not be placed on the cost approach or income approach especially when there is market data available. In Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill. App. 3d 9 (5th Dist. 1989), the court held that of the three primary methods of evaluating property for the purpose of real estate taxes, the preferred method is the sales comparison approach. The Board finds there are credible market sales contained in this record. As a consequence of the case law and the finding that the appraisal is not a reliable indicator of value, the most similar raw sales presented in the appraisal will be analyzed along with the best raw sales presented by the board of review.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appraisal sales which occurred in either 2014 or 2015 and are found to be dated in comparison to the valuation date at issue of January 1, 2017.

The Board finds the best evidence of market value to be the board of review comparable sales. The Board recognizes that the board of review comparable sales are each superior in foundation type of full or partial basement when compared to the subject's crawl-space foundation. The board of review comparables sold from May 2016 to December 2017 for prices ranging from \$389,750 to \$450,000 or from \$107.97 to \$136.36 per square foot of building area, including land. The subject's assessment reflects a market value of \$387,560 or \$113.39 per square foot of building area, including land, which is slightly below the range established by the best comparable sales in the record in terms of overall value and at the lower end of the range on a per-square-foot basis. Based on this evidence and after considering adjustments to the comparables for differences in lot size, age, building size and foundation when compared to the subject building, the Board finds the appellant failed to establish by a preponderance of the

evidence that the subject property was overvalued 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:

April 20, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Stella Budz, by attorney:
George N. Reveliotis
Reveliotis Law, P.C.
1030 Higgins Road
Suite 101
Park Ridge, IL 60068

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602