



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

APPELLANT: Marvin Lopez
DOCKET NO.: 17-41335.001-R-1
PARCEL NO.: 20-29-320-026-0000

The parties of record before the Property Tax Appeal Board are Marvin Lopez, the appellant(s), by attorney Christopher G. Walsh, Jr., Attorney at Law 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: \$ 2,625
IMPR.: \$ 8,153
TOTAL: \$10,778

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 is a one-story, masonry dwelling that contains 1,060 square feet of living area. The property is 57 years old, has a 4,375 square foot site, and is located in Lake Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a settlement statement disclosing the subject property was purchased on November 19, 2014 for a price of \$27,000 in a cash transaction and purchased from Tadeusz Wadala. The appellant's evidence indicated that the property was sold "by owner," and was transferred three weeks after Mr. Wadala initially took title. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

In support of its contention of the correct assessment, the board of review submitted Notes on Appeal indicating the subject's current assessed value is \$10,778. The subject's assessment reflects a market value of \$107,780, or \$101.68 per square foot of living area, including land, when applying the 2017 statutory level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

The board of review also submitted information on four sale comparables, each of which reflected equity data. The comparables sold between June 2015 and October 2016 for sale prices ranging from \$103.66 to \$115.83 per square foot, including land. Based on this evidence, the board requested confirmation of the subject's assessment.

The board of review argued in a memorandum that this sale was compulsory and included a "deed trail" as evidence.

In a second memorandum the board of review indicated that the appellant failed to disclose he correct purchase price and requested an assessment increase based on a second "deed trail."

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.

Initially, the Board does not find evidence to support the board of review's contention that this sale is compulsory. The initial "deed trail" is not supportive of this contention. Additionally, the Board notes that the second memorandum and "deed trail" wherein the board of review requested an assessment increase was identified by a permanent index number other than that of the subject property. Accordingly, the board of review's request for an assessment increase is denied.

However, the Board finds that the subject's sale does not have the elements of an arm's length transaction as it was not advertised or exposed on the open market. The Seller transferred the property to the appellant three weeks after receiving title. Additionally, the board of review provided four sale comparables that were located in the subject's neighborhood and sold at times proximate to the valuation date. These comparables sold for prices ranging from \$103.66 to \$115.83 per square foot, including land. The subject's assessment reflects a market value of \$101.68 per square foot of living area, including land, while its purchase price reflects a market value of \$25.47 per square foot of living area, including land. Both of these values are below the range of the best comparables contained in the record. As the appellant failed to submit any sale comparables to demonstrate that the sale was at market value, the Board finds that 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: November 16, 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

Marvin Lopez, by attorney:
Christopher G. Walsh, Jr.
Attorney at Law
111 West Washington Street
Suite 1150
Chicago, IL 60602

COUNTY

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