



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

APPELLANT: Sajad Hussain
DOCKET NO.: 17-45420.001-R-1
PARCEL NO.: 31-26-416-018-0000

The parties of record before the Property Tax Appeal Board are Sajad Hussain, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$2,664
IMPR.: \$4,724
TOTAL: \$7,388

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 1.5-story dwelling of frame and masonry exterior construction with 1,349 square feet of living area. The dwelling was constructed in approximately 1956, has a concrete slab foundation and features a one-car attached garage. The property has an 8,880 square foot site and is located in Park Forest, Rich 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 evidence disclosing the subject property was purchased on July 22, 2016 for a price of \$25,900. The appellant completed Section IV-Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold with by a realtor and that is was advertised in the Multiple Listing Service (MLS). The appellant submitted the subject's MLS listing sheet which reported the property was listed for 113 days on market and

was sold in "as is" condition with "buyer to take on city repairs." The settlement statement submitted by the appellant disclosed that concession payments were made to real estate agents.

In addition to the subject's sale information, the appellant submitted limited information on five comparable sales located within 0.37 of a mile from the subject. The comparables have sites that range in size from 7,200 to 15,209 and are improved with 1.5-1.9 story dwellings that range in size from 1,260 to 1,400 square feet of living area. The homes are either 61 or 62 years old and feature a one car garage. The comparables sold from March 2016 to October 2017 for prices ranging from \$22,900 to \$39,000 or from \$17.70 to \$28.91 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$2,590 which reflects the 2016 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$7,388. The subject's assessment reflects a market value of \$73,880 or \$54.77 per square foot of living area, land included, when applying the level of assessments 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 a grid analysis with information on four comparable sales, evidence from the Cook County Recorder of Deeds Office identifying the sale of the subject property as a judicial sale, a township triennial reassessment schedule which indicates 2017 is the first year in Rich Townships reassessment cycle and a supplemental brief regarding the recent purchase of the subject property.

In the supplemental brief, the board of review argues the 2016 purchase of the subject property was the result of a foreclosure action when the Wilmington Savings Fund Society acquired the subject at auction. The brief cites multiple cases as they relate to market value given compulsory sale, special warranty deeds, quit claim deeds and estate sales. In summary, the board of review argues that the appellant's purchase price cannot be an arm's length transaction due to the compulsory nature of the transaction.

The four comparable sales submitted by the board of review are located within 0.25 of a mile from the subject property with sites that range in size from 7,200 to 8,700 square feet of land area and are improved with a 1-story or a 1.5-story dwelling of frame or frame and masonry exterior construction. The homes range in size from 1,339 to 1,473 square feet of living area and are each 61 years old. Three of the comparables have a concrete slab foundation and one comparable has a partial basement with finished area. Each comparable has either a 1-car or a 2-car garage. The comparables sold from May to December 2018 for prices ranging from \$80,000 to \$119,000 or from \$59.72 to \$80.79 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the attorney for the appellant argued that the board of review did not provide any evidence disputing the validity of the subject's sale, that the best evidence of fair market value is the recent sale price and that the appellant's comparable sales further support the subject's recent sale price and therefore is indicative of market value.

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 parties submitted evidence of the subject's recent sale and nine comparable sales for the Board's consideration. The Board gave little weight to the subject's recent sale since the compulsory nature of the transaction may not be indicative of a willing buyer and a willing seller, an element necessary for a market value transaction.

The Board finds the best evidence of market value in the record to be the appellant's comparables #2 and #5 along with board of review comparables #3 and #4 which are essentially identical in dwelling size when compared to the subject and similar in location, age and most features. The comparables sold from August 2017 to August 2018 for prices ranging from \$34,000 to \$84,900 or from \$25.20 to \$62.94 per square foot of living area, including land. The subject's assessment reflects a market value of \$73,880 or \$54.77 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. Less weight is given the purchase price of the subject property due to the compulsory nature of the transactions associated with the property. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is reflective of market value 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: 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

AGENCY

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