



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

APPELLANT: 2233 W. Howard St LLC
DOCKET NO.: 18-24326.001-C-1 through 18-24326.003-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 2233 W. Howard St LLC, the appellant, by Robert J. Paul, 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
18-24326.001-C-1	11-30-307-037-0000	5,992	1,463	\$7,455
18-24326.002-C-1	11-30-307-038-0000	5,992	638	\$6,630
18-24326.003-C-1	11-30-307-206-0000	14,382	1,533	\$15,915

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 2018 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, mixed-use building of masonry exterior construction with 2,200 square feet of building area. The building is approximately 68 years old, has a partial unfinished basement, and central air conditioning. The three parcels for this appeal are located in Chicago, Rogers Park Township, Cook County.¹ Parcel #1 (PIN #11-30-307-037-0000) is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The limited description of the subject's improvement was obtained from the board of review's grid analysis as neither party provided a complete description of the three parcels for the Board to ascertain what was attributable to the improvement assessment for each parcel.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant partially completed Section IV – Recent Sale Data of the Residential Appeal petition and submitted a Master Statement disclosing the three parcels of the subject property was purchased from Charlotte R. Hansen, Trustee on December 20, 2017 for a price of \$300,000. The Master Statement did not report the distribution of any real estate commissions.

Based on this evidence, the appellant requested within the Property Tax Appeal Board “Addendum to Petition” a reduction in the total assessment for Parcel #1 of \$7,455 and that the assessments remain unchanged for Parcels #2 and Parcel #3, or a combined assessment reduction for the three parcels of \$30,000.

The appellant also submitted a copy of the final decision of the Cook County Board of Review for the 2018 assessment year depicting assessments for the three parcels of \$24,808 for Parcel #1, \$6,630 for Parcel #2, and \$15,915 for Parcel #3. The subject’s three parcels have a combined total assessment of \$47,353 that reflects a market value of \$473,530, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing a total assessment for only Parcel #1 of \$24,808 and no assessment information for the other two parcels. In support of its contention of the correct assessment, the board of review confirmed the sale date and sale price of the subject property and submitted information on three comparable sales that are located within a different neighborhood code than the subject. The comparables have sites ranging in size from 1,803 to 6,250 square feet of land area and are improved with class 2-12, two-story or three-story, mixed-use buildings of masonry exterior construction ranging in size from 3,051 to 9,681 square feet of building area. The buildings range in age from 97 to 111 years old and have varying degrees of similarity in other features. The sales occurred from December 2015 to November 2018 for prices ranging from \$500,000 to \$1,615,000 or from \$163.88 to \$191.63 per square foot of building area, including land.

Based on this evidence, the board of review requested confirmation of the subject’s assessment for only Parcel #1. The board of review did not present any evidence to challenge the arm's-length nature of the subject’s sale or to refute the contention that the purchase price was reflective 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant based this appeal on a recent sale of the subject property in December 2017 for a price of \$300,000 and submitted a copy of the of the Master Statement to document the transaction. The board of review submitted information on three comparable sales, none of

which are truly similar to the subject property due to significant differences in location, design, age, building size, and/or foundation. In addition, one comparable was a dated 2015 sale occurring more than two years prior to the January 1, 2018 assessment date at issue. Therefore, the Board finds, although the appellant provided limited information to document the arm's length nature of the transaction of the subject's sale, the purchase price of the subject reflects the best evidence in this record of the subject's market value. In addition, the subject's sale in December 2017 occurred less than one month prior to the assessment date at issue. Moreover, the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value.

Based on this record, the board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment commensurate with the appellant's request is 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:

February 15, 2022



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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