



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

APPELLANT: John Douros  
DOCKET NO.: 18-29666.001-C-1 through 18-29666.002-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are John Douros, 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 **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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
18-29666.001-C-1	25-10-324-034-0000	4,902	8,056	\$12,958
18-29666.002-C-1	25-10-324-035-0000	6,381	661	\$7,042

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, commercial building of frame and masonry construction with 1,375 square feet of usable building area. A liquor store is on the first floor. The building was constructed in 1888. The property has a 9,403 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 5-92 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant asserts overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating that the subject property had a market value of \$80,000 as of January 1, 2018. The appraisal used the sales comparison approach, and the appraiser relied on six suggested comparable properties that sold between December 2015 and March 2018, for amounts ranging from \$43,000 to \$178,000 or between \$21.99 and \$59.81 per

square foot of living area, land included in the sale prices. The appraiser adjusted the sales prices to account for differences between the comparables and the subject.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,500. The subject's assessment reflects a market value of \$150,000 or \$109.09 per square foot of living area, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 5 property of 25%. The board of review did not submit any further documentary evidence in support of the assessment.

The appellant submitted a written rebuttal argument which stated that the board of review's evidence was inferior to the appraisal submitted by the appellant.

A virtual hearing was conducted regarding this appeal before one of the Board's Administrative Law Judges on May 23, 2023. The appellant was represented by counsel, and the board of review was represented by one of its analysts.

The appellant called appraiser, Robert Kang, as a witness. Kang testified that he is a Certified General Real Estate Appraiser in Illinois, and he has been appraising property for ad valorem tax purposes since 1993. The taxpayer hired him to appraise the subject in 2018. He inspected the property on April 26, 2018, and his appraisal report was completed November 26, 2018.

Kang used the sales comparison approach in his appraisal, relying on six comparable properties that he had selected. The taxpayer and his attorney also wanted an income approach, but Kang advised them that it would be meaningless because the property was occupied by the owner. His priority was to determine the amount of usable space in the building. He determined that the second floor was not usable because it was boarded up and the only available access was a stairway in back of the building. He had appraised the property in 2017, and the owner told him at that time that the second floor was boarded up and had not been used in decades. According to Kang, the current use of the property was its highest and best use.

For his sales comparison approach, Kang used comparable properties that were similar in size to the subject and had onsite parking. The subject had a relatively high land-building ratio. Kang used comparable properties that he believed were a good fit. Most of the comparables were north of the subject because the subject was located in the far south side of Chicago, and Kang sought comparables that were in Chicago. Kang used multiple sources to verify the sales of the comparable properties, including CoStar, the Cook County Recorder of Deeds website, and MLS.

The comparable properties chosen by Kang sold between December 2015 and March 2018, for amounts ranging from \$43,000 to \$178,000 or between \$21.99 and \$59.81 per square foot of living area, land included in the sale prices. After Kang adjusted the sales prices to account for differences between the comparables and the subject, the range was between \$23.53 and \$61.01 per square foot of building area. Kang determined that a value at the higher end of this range, \$57.50 per square foot of building area, or \$80,000, was the subject's value as of January 1, 2018.

On cross-examination, Kang acknowledged that he had been subject to professional discipline. He was not sure exactly when the discipline took place, but it was more than ten years ago. The discipline arose out of circumstances that resulted from Kang leaving an appraisal firm that had employed him. His appraiser's license was suspended for 12 months because he had used a firm report as his property after leaving the firm. Kang has not been disciplined since then.

Kang further testified on cross-examination that he did not inspect the subject's second floor because he relied on the taxpayer's word that it was not usable, he saw that it was boarded up, there were no windows, and the only exit was from the rear. Kang had appraised other properties like this on the south side of Chicago, and he stated that the second floor was not marketable and could not have been rented. Kang further stated that, in choosing comparable properties, he avoided distress sales because the board of review disfavors them. The only comparable used in Kang's sales comparison approach that was sold at a distress sale was comparable six. Kang stated that this property was sold at an REO (real estate owned) sale.

### **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 taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d Dist. 2000). 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 best and only evidence presented about the subject's market value as of the relevant date was the appraisal and testimony of Robert Kang. The board of review argued at the hearing that this evidence was lacking because Kang did not inspect the second floor of the property and he did not use an income approach in his appraisal. Kang's testimony that an income approach would not have been meaningful because the property was occupied by the owner was unrebutted, however. And Kang could reasonably have concluded from the property owner's representations and the conditions he observed that the second floor was not usable. Moreover, although Kang's license has been disciplined for misconduct, that discipline took place over ten years ago, and there have been no further disciplinary incidents since then.

Furthermore, the board of review presented no evidence in support of its assessment. The Board finds that the best evidence of the subject's market value is Kang's appraisal, which determined that the subject has a market value of \$80,000. Using the Cook County Real Estate Classification Ordinance level of assessment for class 5 property of 25%, the board of review's assessment indicates that the subject's market value is \$150,000, which is above the amount established by the best evidence in the record. The Board therefore concludes that a reduction in the subject's assessment consistent with the fair market value determination set forth in the appraisal is warranted.

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.

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Chairman



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Member



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Member



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Member



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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: September 19, 2023



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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

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