



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

APPELLANT: Alan Osheff
DOCKET NO.: 18-31391.001-R-1
PARCEL NO.: 20-35-200-014-0000

The parties of record before the Property Tax Appeal Board are Alan Osheff, the appellant, by attorney Anthony Lewis, of the Law Offices of Gary H. Smith 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: \$3,063
IMPR.: \$8,032
TOTAL: \$11,095

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 one-story dwelling of frame exterior construction with 984 square feet of living area.¹ The dwelling is approximately 123 years old. Features include a full finished basement and a 1.5-car garage. The property has a 3,404 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-02 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The parties differ as to the land and dwelling sizes of the subject property. The Board finds the best evidence of the subject's dwelling size was the schematic drawing provided in the appellant's appraisal. In contrast, the board of review provided no data to support a stated dwelling size of 840 square feet. For this analysis, the Board will utilize the subject's land size provided in the board of review's grid analysis since the appellant did not request a reduction in the subject's land assessment or provide any supporting evidence contesting a change in the subject's land size.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a residential appraisal report with an estimated market value of \$35,000 as of January 1, 2018. The appraisal was prepared by Robert B. Merel, a State of Illinois Certified Appraiser for the client GlenAlan LLC. The purpose of the appraisal is to estimate the market value of the real property that is the subject of the report. In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value.

Under the sales comparison approach to value, the appraiser utilized three comparable sales located in Chicago and are from .32 to 1.09 miles from the subject property. The parcels range in size from 3,125 to 5,250 square feet of land area. The comparables are described as 1-story or 1.5-story dwellings ranging in size from 845 to 1,015 square feet of living area. Comparables #2 and #3 have dwellings that are 99 or 104 years old, and the age for comparable #1 was reported to be unknown. Two comparables have either a 1-car or a 2-car garage. The comparables sold from June to September of 2017 for prices ranging from \$30,000 to \$43,000 or from \$29.56 to \$50.89 per square foot of living area, including land. Adjustments were made to the comparables for differences from the subject in quality of construction, condition, room count, gross living area, unfinished basement area, garage size, and other features to arrive at adjusted prices ranging from \$31,000 to \$52,500. Based on this data, the appraiser arrived at an estimated market value for the subject of \$35,000.

Based on the foregoing evidence, the appellant's attorney requested the subject's total assessment be reduced to \$3,500, which would reflect a market value of \$35,000 or \$35.57 per square foot of living area, including land, 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 the total assessment for the subject of \$11,095. The subject's assessment reflects a market value of \$110,950 or \$112.75 per square foot of living area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment of the subject property, the board of review provided information on four comparables that are located within the same neighborhood code as the subject property. The parcels range in size from 3,750 to 4,725 square feet of land area. The comparables are improved with one-story dwellings with masonry exterior construction ranging in size from 638 to 1,385 square feet of living area. The dwellings range in age from 63 to 97 years old and have full basements, two of which have finished area. The comparables each have a two-car garage. Comparables #1 through #3 sold from September 2016 to April 2018 for prices ranging from \$165,000 to \$174,900 or from \$169.39 to \$274.14 per square foot of living area, including land. Only equity data was provided for comparable #4. Since this equity comparable is not responsive to the appellant's overvaluation argument, the Property Tax Appeal Board will not examine this comparable any further. Based on this evidence the board of review requested confirmation of the subject's 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.

In support of their respective positions before the Board, the appellant submitted an appraisal of the subject property and the board of review submitted four comparables, three of which sold.

As to the appellant's appraisal, the Board gives less weight to the appraiser's conclusion of value with the appraiser's selection of comparable sale #1 that has an "unknown" age listed for the dwelling. Furthermore, the Board finds the appraisal's comparable sales #1 and #2 have dissimilar 1.5-story designs when compared to the subject's 1-story design. Therefore, the Board finds these factors undermine the appraiser's final opinion of value in the appraisal report.

Additionally, the Board also gives reduced weight to the board of review comparable sales #2 through #3 which significantly differ from the subject in dwelling size, and comparable #3 sold in September 2016 occurring less proximate in time to the January 1, 2018 assessment date at issue.

The Board finds the best evidence of market value to be the appellant's appraisal comparable sale #3 as well as the board of review comparable sale #1. These two comparable sales are overall more similar to the subject in location, design, age, dwelling size and some features, except for their unfinished basements, when compared to the subject's finished basement. In addition, the comparables sold proximate in time to the January 1, 2018 assessment date at issue. These two comparables sold in June 2017 and April 2018 for unadjusted sales prices of \$43,000 and \$166,000 or \$50.89 and \$169.39 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$110,950 or \$112.75 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record.

After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment based on overvaluation is not 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.

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 19, 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

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