



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

APPELLANT: Fausto Natali
DOCKET NO.: 18-34401.001-R-1
PARCEL NO.: 04-32-401-146-0000

The parties of record before the Property Tax Appeal Board are Fausto Natali, the appellant(s); 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:

LAND: \$ 2,084
IMPR.: \$39,916
TOTAL: \$42,000

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 three-story, masonry, residential building with 6,792 square feet of building area. It is approximately 35 years old. The property has a 3,207 square foot site and is located in Northfield Township, Cook County. The subject is classified as class 2-11 property under the Cook County Real Property Assessment Classification Ordinance. The subject property is not owner occupied according to the appellant's appeal form.

The appellant contends overvaluation as the basis of appeal. The appellant's evidence indicates the subject property sold on November 24, 2015 for \$420,000, or \$61.84 per square foot, including land. The evidence lists the Seller as Gayle Nicioli as Trustee of the Gayle Nicioli Living Trust and the Buyer as Chicago Trust Company under Trust No. SBL-3238. A recorded PTAX-203, Illinois Real Estate Transfer Declaration was submitted in support of this transaction. It indicated the property will be the buyer's principal place of residence and that the property was advertised for sale. On the appeal form, Section IV – Recent Sale Data indicates the

property was sold “by owner” and advertised on the internet. Based on this evidence, the appellant requested an assessment reduction to \$42,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$50,000. The subject's assessment reflects a market value of \$500,000, or \$73.62 per square foot, including land, when applying the assessment level of 10% as established by the Cook County Real Property Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted information on four sale comparables, all of which reflected equity data. The board also included the transfer of the subject on its grid sheet confirming the appellant's purchase price of \$420,000. Based on this evidence, the board requested confirmation of the subject's assessment.

In written rebuttal, the appellant requested an assessment reduction for 2018 due to the fact the subject received a reduction in 2016, which is part of the same triennial period. The appellant also distinguished the board of review's comparable properties from the subject property.

Conclusion of Law

Section 16-185 of the Illinois Property Tax Code provides, in relevant part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board notes that it rendered a decision lowering the subject's assessment in tax year 2016, however, the appellant has not provided evidence that the subject property is owner-occupied. For this reason, the Board finds that a reduction is not warranted based on Section 16-185 of the Illinois Property Tax Code.

The appellant also 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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the sale of the subject for \$420,000. The subject was advertised for sale by owner for five months and there was no evidence from either party that indicated this sale was a short sale or a foreclosure. Since the market value of this parcel has been established, the assessment level of 10% as established by the Cook County Real Property Assessment Classification Ordinance shall apply. 86 Ill. Admin. Code § 1910.50(c)(3).

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: January 19, 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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APPELLANT

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