



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

APPELLANT: Martin O'Connor
DOCKET NO.: 18-39790.001-R-1
PARCEL NO.: 20-04-306-022-0000

The parties of record before the Property Tax Appeal Board are Martin O'Connor, the appellant(s), by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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: \$3,175
IMPR.: \$22,126
TOTAL: \$25,301

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 131-year-old, two-story, multi-family dwelling of frame construction with 4,045 square feet of living area. Features of the building include three full bathrooms and a basement apartment. The property has a 3,175 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based, in part, on overvaluation based on a recent sale. In support of this argument the appellant submitted evidence disclosing the subject property sold in August of 2015, for a price of \$198,300. The sale price per square foot of living area, including land, was \$49.02. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price. In Section IV of their Residential Appeal, the appellant identified the seller as the Federal National Mortgage Association, indicated that a realtor was involved, and

noted that the property was advertised for sale. In its brief, the appellant further argued that the purchase represented a fully arm's-length, fairly negotiated transaction, since there was no relationship between the purchaser and the seller.

The appellant also contends assessment inequity as the basis of the appeal; however, the appellant failed to submit any equity comparables. The appellant indicates the subject property has a total assessment of \$25,301 and an improvement assessment of \$22,126 or \$5.47 per square foot of living area.

The board of review submitted two separate "Board of Review Notes on Appeal." In support of its contention of the correct assessment, the board of review submitted information on four equity comparables and three sales comparables.

The equity comparables submitted by the Board of Review are improved with a two-story, multi-family dwellings of frame construction. The improvements ranged: in age from 125 to 145 years; in size from 3,132 to 3,502 square feet of living area; and in assessment from \$6.38 to \$7.91 per square foot. The comparable properties had either three or four full bathrooms. Additionally, two of the comparable properties had a two-car garage.

The sales comparable properties submitted by the Board of Review sold between August of 2016 and April of 2018, for amounts ranging from \$235,005 to \$305,000, or from \$73.26 per square foot to \$80.26 per square foot.

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 Board finds that the best evidence of market value in the record to be the board of review's comparable sales #1, #2 and #3. These comparables were similar to the subject in location, style, construction, features, age and land area. These properties also sold more proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$235,005 to \$305,000 (between \$73.26 and \$80.26 sale price per square foot), whereas the subject property was sold for \$198,300 (\$49.02 sale price per square foot), which is well *below* the sales prices of the comparable properties.

The taxpayer also contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the

similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of assessment equity to be Board of Review comparable #1, #2, and #3. The Board notes the subject's assessment reflects an improvement assessment of \$5.47 per square foot of living area which is below the assessment range established by the best comparables in this record (between \$6.38 and \$6.99 per square foot). Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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: November 22, 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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