



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

APPELLANT: Kazah LLC Series A
DOCKET NO.: 18-39794.001-R-1
PARCEL NO.: 25-04-102-010-0000

The parties of record before the Property Tax Appeal Board are Kazah LLC Series A, the appellant(s), by attorney Ciarra 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: \$3,093
IMPR.: \$4,218
TOTAL: \$7,311

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 96-year-old, one-story residence, of masonry construction with 1,039 square feet of living area. Features of the building include one full bathroom and a one and a half car garage. The property has a 4,125 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-03 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 a settlement statement disclosing the subject property sold on June 17, 2015, for a price of \$34,900. The settlement disclosed two real estate firms involved in the transaction. The sale price per square foot of living area, including land, was \$33.59. In Section IV of their Residential Appeal, the appellant identified the seller as the Federal Home

Loan Mortgage Company, indicated that a realtor was involved, and noted that the property was advertised for sale.

The appellant also contends assessment inequity as the basis of the appeal. In support of its assessment inequity contention, the appellant submitted five comparable properties. They were improved with a one-story residence of masonry or frame construction. The improvements ranged: in age from 62 to 135 years old; in living area from 1,000 to 1,027 square feet of living area; and in improvement assessment from \$2.10 to \$3.67 per square foot of living area. Each of the comparable properties had one full bathroom. Additionally, four of the comparable properties had either a one-car, two-car, or two and a half-car garage. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$3,490.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the subject's total assessment was \$7,311. The subject's improvement assessment was \$4,218, or \$4.06 per square foot of living area. The subject's total assessment reflects a market value of \$73,110, or \$70.37 per square foot of living area, including land. In support of its contention of the correct assessment, the board of review submitted information on eight equity comparables and five sales comparables.

The sales comparable properties submitted by the Board of Review sold between August of 2015 and February of 2018, for amounts ranging from \$41,000 to \$164,000, or from \$35.59 to \$148.01 per square foot of living area, including land.

Each of the equity comparables submitted by the Board of Review are improved with a one-story residence of masonry construction. The improvements ranged: in age from 91 to 95 years; in size from 1,007 to 1,152 square feet of living area; and in improvement assessment from \$4.97 to \$10.99 per square foot of living area. Seven of the comparable properties had one full bathroom. Additionally, seven of the comparable properties had either a two-car or two-and-a-half-car garage. The board of review's evidence also states that the subject was purchased in June 2015 for \$34,900.

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 the best evidence of market value in the record to be the five comparable sales submitted by the board of review. These comparables were similar to the subject in location, style, construction, features, age and land area. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$35.59 to \$148.01 per square foot of living area, including land. The subject's assessment reflects a market value of \$70.37 per square foot of living area, including land, which is *within* the range established by the

best comparable sales in this record. The Board gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue. Based on this record the Board finds the subject's assessment *is* reflective of market value and a reduction in the subject's assessment *is not* justified.

The taxpayer 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 based on inequity *is not* warranted.

The Board finds the best evidence of assessment equity to be *appellant's comparable #5 and board of review comparables #1, #2, #3, and #4*. These comparables had improvement assessments that ranged from \$3.67 to \$5.50 per square foot of living area. The subject's improvement assessment of \$4.06 per square foot of living area falls within the range established by the best equity comparables in this record. 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 on the basis of inequity *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:

December 20, 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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