



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

APPELLANT: ATG Trust Co Trustee of Trust #1013-11
DOCKET NO.: 18-43398.001-R-1
PARCEL NO.: 32-20-203-007-0000

The parties of record before the Property Tax Appeal Board are ATG Trust Co Trustee of Trust #1013-11, the appellant, by attorney Anthony M. Farace, of Amari & Locallo 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 **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: \$1,125
IMPR.: \$1,875
TOTAL: \$3,000

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 two-story, single-family residence of frame and masonry construction with 1,503 square feet of living area. The dwelling was 59 years old. Features of the home include a slab foundation, one full bathroom, a half bathroom, and air conditioning. The property has a 3,750 square foot site and is located in Chicago Heights, Bloom Township, Cook County. The subject is classified as a class 2-07 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant asserts overvaluation and assessment inequity as the grounds of the appeal. In support of the assessment equity argument, the appellant submitted information on four equity comparables. In support of the overvaluation argument, the appellant submitted information about a May 18, 2018, sale of the subject, including a copy of the sales contract.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$11,262. The subject property has an improvement assessment of \$10,137 or \$6.74 per square foot of living area. The subject's assessment reflects a market value of \$112,620 or \$74.93 per square foot of living area, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables and four sales comparables.

Conclusions of Law

The appellant's appeal is based in part on overvaluation. The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this argument, the appellant submitted evidence disclosing that the subject property was purchased on May 18, 2018, for a price of \$30,000. This sale reflects a market value of \$19.96 per square foot of living area, land included. The appellant completed Section IV - Recent Sale Data of the PTAB residential appeal form in which it disclosed that the sale was not between family members or related corporations, the property was advertised for sale through the Multiple Listing Service for 71 days, it was sold by a realtor, and it was not sold because of a foreclosure action. The appellant submitted a copy of the sales contract.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales of properties, none of which is located in the same neighborhood as the subject. These properties were sold between January 24, 2018, and October 23, 2018, for amounts ranging from \$147,184 to \$179,900 or from \$80.83 to \$108.71 per square foot, land included.

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 met this burden of proof and a reduction in the subject's assessment is warranted on this basis.

The Board finds that the best evidence of market value is the sale of the subject property in May 2018 for a price of \$30,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the PTAB residential appeal form and disclosed that the parties to the transaction were not related, the property was sold using a realtor, the property had been advertised on the open market through the Multiple Listing Service, and it had been on the market for 71 days. The appellant also submitted a copy of the sales contract. The Board finds the purchase price is below the market value reflected by the assessment.

The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. The Board gives little weight to the comparable sales submitted by the board of review because they were not in the same neighborhood as the subject and because of other differences between those comparables and the subject.

The Board concludes that the board of review did not refute the appellant's contention that the purchase price of the subject property was reflective of market value. Based on this record the Board finds the subject property had a market value of \$30,000 as of January 1, 2018. Since market value has been determined, the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2 property of 10% shall apply. A reduction in the subject's assessment commensurate with the appellant's request is therefore appropriate. In light of this determination, it is not necessary to consider appellant's assessment equity argument.

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:

May 17, 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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APPELLANT

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