



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

APPELLANT: Young In Kim
DOCKET NO.: 18-46091.001-R-1
PARCEL NO.: 17-17-412-037-0000

The parties of record before the Property Tax Appeal Board are Young In Kim, the appellant(s), by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$8,581
IMPR.: \$34,391
TOTAL: \$42,972

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

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 2,524 square foot parcel of land improved with a 140-year-old, two-story, frame and masonry, multi-family dwelling, containing 1,711 square feet of living area. The property is located in Chicago, West Chicago Township, Cook County and is a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

Appellant's appeal is based on overvaluation and assessment inequity. On its appeal form, appellant only checked off assessment equity. Appellant also included a brief disclosing its market value argument. In support of its overvaluation argument, appellant submitted a Judicial Sale Deed and Order Approving Sale disclosing the subject property was sold on June 2, 2017. A print-out from the Cook County Recorder of Deeds website reflects the subject property transferred ownership via the judicial sale for \$390,000. The sale price results in \$227.94 per square foot of living area, including land. Appellant did not include Section IV of its appeal

form. Based on this evidence, appellant requested a reduction in the subject's assessment to \$39,000.

In support of its assessment inequity argument, appellant submitted information on five suggested equity comparables. They were improved with a two-story residence of either masonry or frame construction. They ranged: in age between 126 and 140 years, in size between 1,638 and 2,972 square feet of living area, and between \$10.21 and \$19.27 in improvement assessment per square feet of living area.

The board of review disclosed the subject's current total assessment of \$42,972, which reflects a market value of \$429,720, or \$251.15 per square foot of living area, including land, when using the level of assessment for class 2 property under the Cook County Real Property Assessment Classification of 10%. The subject's improvement assessment is \$34,391, or \$20.10 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four comparables. Each comparable property was improved with a 130-year-old, two-story residence, of masonry or stucco construction. They ranged in size between 1,936 and 2,473 square feet of living area, and between \$21.39 and \$26.89 in improvement assessment per square feet of living area.

Conclusion of Law

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 appellant *did not meet* this burden of proof and a reduction in the subject's assessment *is not* warranted.

The Board finds appellant failed to disclose on the petition that the appeal was based on the recent sale of the subject; failed to submit the second page of the petition which included additional information on the arm's length nature of the sale of the subject; and failed to submit any credible, corroborating evidence of the sale. Appellant included only the court order for the sale of the subject and failed to show that the sale was not made under duress, was listed on the open market, and was not a sale between related parties. Therefore, the Board finds appellant failed to demonstrate the sale had the elements of an arm's length transaction and gives this sale no weight. The Board finds appellant failed to prove by a preponderance of the evidence that the subject was overvalued, and a reduction based on market value is not justified.

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 best evidence of assessment equity to be appellant's comparable #1 and the board of review's comparables #2, #3, and #4. These comparables had improvement assessments ranging of \$10.21 to \$23.86 per square foot of building area. The remaining comparables were given less weight due to differences in size. In comparison the subject's improvement assessment of \$20.10 per square foot of building area is within the range of the best comparables in this record. Based on this record the Board finds appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's improvements 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: March 21, 2023



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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