



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

APPELLANT: Thomas Talpai
DOCKET NO.: 19-20366.001-R-1
PARCEL NO.: 16-31-227-008-0000

The parties of record before the Property Tax Appeal Board are Thomas Talpai, 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 **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: \$6,093
IMPR.: \$19,724
TOTAL: \$25,817

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 2019 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 is a 16 year-old, two-story, apartment building of frame construction containing 3,680 square feet of living area. The property has a 6,250 square foot site in Berwyn, Berwyn Township, Cook County. It is a Class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted letters written in 2008, 2011, and 2017 to the assessor requesting a reduction due to foundation problems and high taxes, 2011 and 2017 assessor assessment appeal documents, and letters written in 2017 and 2019 to the board of review requesting a reduction due to foundation problems and high taxes. The appellant requested a total assessment reduction to \$18,895.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,817. The subject's assessment reflects a market value of \$258,170 or \$70.15 per square foot of living area, land included, when using the 2017 level of assessment for class 2-11 properties of 10% as determined 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 suggested equity comparables and sale data for comparables #3 and #4.

In rebuttal, the appellant distinguished the board of review's comparables based on good foundation and construction. The appellant stated that the subject started having foundation problems about 20 years ago and that he could not find comparable properties in age and condition to the subject. Lastly, the appellant submitted exterior photographs of the board of review's comparables.

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 appellant did not submit any evidence such as an appraisal estimating the subject's market value and to what extent the subject's market value was negatively impacted by its foundation problems and condition. The appellant did not submit any market value evidence for the subject. The mere presence of foundation problems does not solely warrant a reduction in the subject's assessed value. Based on this lack of evidence, the Board finds 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: December 15, 2020



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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