



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

APPELLANT: Divenderjit Hundal
DOCKET NO.: 19-29120.001-R-1
PARCEL NO.: 28-13-202-031-0000

The parties of record before the Property Tax Appeal Board are Divenderjit Hundal, the appellant(s), by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$3,793
IMPR.: \$18,903
TOTAL: \$22,696

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 consists of a two-story multi-family dwelling of masonry construction with 3,507 square feet of living area. The dwelling was 55 years of age. Features of the home include a full basement with a formal recreation room and four full bathrooms. The property has a 16,860 square foot site and is located in Harvey, Bremen 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 on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on August 30, 2018, for a price of \$23,500.00. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

In support of the market value argument, the appellant also submitted three sales comparables located within the same subarea as the subject. These comparables are described as two-story, multi-family dwellings of masonry construction. They range in age from 49 to 109 years and in size from 2,160 to 3,528 square feet of building area. They sold from July 2018 to February 2019 for prices ranging from \$6.29 to \$36.57 per square foot of building area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$22,696. The subject's assessment reflects a market value of \$226,960.00 or \$64.72 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%.

The appellant completed Section IV - Recent Sale Data of the PTAB residential appeal form in which it disclosed that the property was obtained from U.S. Bank, it had been advertised through the Multiple Listing Service for 78 days, and a realtor was involved. The subject was a bank sale sold "AS IS". The appellant submitted a copy of the settlement statement and the listing of the subject property. The listing stated that the subject was sold "AS IS" for cash payment only via an online auction. There was exclusive bidding on the property from July 28, 2018, until August 1, 2018.

In support of its contention of the correct assessment, the board of review submitted three sales comparables located in the same subarea as the subject. The comparables were improved with a two-story, multi-family dwelling of masonry construction. The improvements were located within the same subarea as the subject. The improvements ranged: in age from 48 to 56 years old; in size between 3,158 and 3,692 square feet of living area; and in sale price per square foot of \$77.58 to \$103.70, including land.

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 to be all of the appellant's comparables #3 and the board of review's comparable #1 and #2. These comparables sold for prices ranging from \$36.57 to \$101.57 per square foot of living area. The subject's assessment reflects a market value of \$64.72 per square foot of living area which is within the range established by the best comparable sales in this record. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not justified. Since market value has been determined, the Board finds that the subject is now fairly and equitably assessed. See *Central Nursing Realty, LLC v. Illinois Property Tax Appeal Board*, 2020 IL App (1st) 180994, ¶¶ 34-36.

The Board gave little weight to the subject's sale on August 30, 2018, for a price of \$23,500.00. Based on the evidence provided by the appellant, the Board finds that the sale of the subject is a

compulsory sale, in the form of a foreclosure, based on the parties' documentation. .A "compulsory sale" is defined as:

(i) the sale of real estate for less than the amount owed to the mortgage lender or mortgagor, if the lender or mortgagor has agreed to the sale, commonly referred to as a "short sale" and (ii) the first sale of real estate owned by a financial institution as a result of a judgment of foreclosure, transfer pursuant to a deed in lieu of foreclosure, or consent judgment, occurring after the foreclosure proceeding is complete. 35 ILCS 200/1 23.

Real property in Illinois must be assessed at its fair cash value, which can only be estimated absent any compulsion on either party. The Board finds that the \$23,500 sale price for the subject did not reflect its market value because it was a foreclosure sale in which the property was sold as is at an online auction.

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: June 27, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Divenderjit Hundal, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602