



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

APPELLANT: NPA Properties, LLC
DOCKET NO.: 19-30573.001-R-1
PARCEL NO.: 16-01-206-040-0000

The parties of record before the Property Tax Appeal Board are NPA Properties, LLC, the appellant(s), by attorney Steven Kandelman, of Rieff Schramm Kanter & Guttman 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: \$7,711
IMPR.: \$40,943
TOTAL: \$48,654

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 130-year-old, two-story, multi-family building of masonry construction with 3,090 square feet of living area. The property has a 3,024 square foot site and is located in Chicago, West Chicago Township, Cook County. Features of the building include two full bathrooms and a full unfinished basement. 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. The appellant indicated in the residential appeal that they based the appeal on a recent sale. In support of this argument the appellant submitted evidence disclosing the subject property was purchased in September of 2018, for a price of \$375,000. The appellant submitted a master settlement statement, a special warranty deed, a Cook County Assessor Sales Questionnaire form, and answered some of the questions in Section IV of the residential appeal. The appellant disclosed that the parties to the transaction were not

related and that the property was not sold due to a foreclosure action. The appellant did not answer the questions relating to who the property was sold by, what the realty firm and agent's names are, if any, if the property was advertised for sale, how long the property was advertised for, and in what manner the property was advertised. Based on this evidence under this argument, the appellant requested a reduction in the subject's assessment to \$37,500.

The appellant also contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables. Based on this evidence under this argument, the appellant is requesting an assessment amount of \$39,754.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$48,654. The subject's assessment reflects a market value of \$486,540 or \$157.46 in market value per square foot of living area, including land, when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The subject property has an improvement assessment of \$40,943 or \$13.25 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on three comparable properties, each of which had equity information and one of which had sales information. Based on this evidence, the board of review requested that the assessment be confirmed.

Conclusion of Law

When market value is the basis of the appeal, the taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d Dist. 2000). 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 appellants did not meet this burden of proof and a reduction in the subject's assessment on this basis is not warranted.

The appellant presented evidence that the subject property was sold in September of 2018, for a price of \$375,000. The appellants completed portions of Section IV - Recent Sale Data of the PTAB residential appeal form and disclosed that the parties to the transaction were not related and it was not a foreclosure sale. The appellants also submitted a copy of the settlement statement from the transaction, a special warranty deed, and a Cook County Assessor Sales Questionnaire form. The appellants did not disclose how long the property had been on the market before it was sold or in what manner the property was advertised on the open market, if any. The evidence demonstrates a lack of realtor involvement in the sale, and a lack of advertising of the property on the open market. There is no evidence about what the owner did to market the subject or how long it was on the market before the sale. The Board gives little weight to the subject's sale because of the absence of evidence that it was exposed to the market. Additionally, while the appellant indicated that the sale was not due to foreclosure action, a line item in the settlement statements indicates there being a fee for "Foreclosure Attorney Review Fee to Professional National Title Network, Inc." further calling into question the purported arm's length nature of the sale. Based on this record under this argument, the appellant failed meet their burden and prove by a preponderance of the evidence that the recent sale price was the fair market value and a reduction in the subject's assessment is not justified on this basis.

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 proven 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 that a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of assessment equity to be appellant's equity comparable #3 and the board of review's comparables #2 and #3. These comparables had improvement assessments that ranged from \$10.74 to \$15.89 per square foot of living area. The subject's improvement assessment of \$13.25 per square foot of living area falls within the range established by the best comparables in this record. After considering all the comparables submitted by the parties with emphasis on those properties that are more proximate in location and with similar features relative to the subject and after further considering adjustments to the best comparables for differences from the subject, the Board finds the subject's improvement assessment is supported. The Board finds that the appellant failed to demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and, therefore, a reduction in the subject's assessment commensurate with the appellant's request 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

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: _____

July 16, 2024



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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