



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

19APPELLANT: Michael Huffer
DOCKET NO.: 19-42702.001-R-1
PARCEL NO.: 13-26-312-038-1004

The parties of record before the Property Tax Appeal Board are Michael Huffer, the appellant, by attorney Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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:	\$982
IMPR.:	\$9,018
TOTAL:	\$10,000

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 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 one-unit in a 16-unit condominium building, with a 5.46% total ownership interest in the common elements. The property is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation based on a recent sale and contention of law as the basis of the appeal. In support of this argument the appellant submitted evidence disclosing the subject property was purchased in April 2018 for a price of \$100,000. The appellant also attached a copy of the Settlement Statement and MLS listing in support. Based on this evidence, the appellant is requesting an assessment amount of \$10,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$16,133. The subject's assessment reflects a market value of \$161,330, including land, when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a condominium analysis showing that three units in the subject's building or 18.58% of ownership in the common elements, sold between July 2018 and November 2018 for an aggregate price of \$751,500. The aggregate sales price, less a 1% adjustment factor, was then divided by the percentage of ownership interest in the common elements of the units sold to arrive at a market value for the building of \$4,044,672. After applying the percentage of ownership of the subject unit, the board of review suggested the subject's fair market value to be \$220,839.

In written rebuttal, the appellant argued that the board of review's condominium analysis was nonresponsive and irrelevant to an appeal based a recent sale. Additionally, the appellant advocated that the board of review did not contest the arm's length nature of the sale and cited case law to support the fact that a contemporaneous arm's length sale is nearly conclusive on the question of fair market value of a property. The appellant reaffirmed the request for an assessment reduction.

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

The Board finds that the April 2018 sale of the subject property for \$100,000 is the best evidence of market value. The appellant provided evidence demonstrating the sale did have the elements of an arm's length transaction, a fact which was not disputed by the board of review. 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 and the property was listed for sale by a realtor on the Multiple Listing Services (MLS) for a period of 56 days. The realtors were listed on the settlement statement and the MLS printout specifically stated that this was not a foreclosure or short sale transaction.

Based on this record the Board finds the subject property had a market value of \$100,000 as of January 1, 2019. 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.

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: July 18, 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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