



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

APPELLANT: Arturo Saenz
DOCKET NO.: 19-49191.001-R-1
PARCEL NO.: 06-08-400-008-0000

The parties of record before the Property Tax Appeal Board are Arturo Saenz, the appellant(s), by attorney Ellen G. Berkshire, of Verros Berkshire, PC in Oakbrook Terrace; 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: \$29,620
IMPR.: \$41,264
TOTAL: \$70,884

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 two residential improvements with a total of 6,042 square feet of living area. The dwellings are approximately 56 years old. The property has a 236,966 square foot site located in Hanover Township, Cook County. The subject is classified as a class 2-78 and a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends recent sale and assessment inequity as the basis of the appeal. In support of the assessment equity argument the appellant submitted information on four equity comparables. In support of the recent sale argument the appellant submitted a right to sell agreement between the appellant and Keller Williams Realty wherein the marketing price is listed as \$500,000. In addition, the appellant submitted a right to sell agreement between the appellant and Century 21 wherein the marketing price is listed as \$699,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,884. The subject's assessment reflects a market value of \$708,840 or \$117.32 per square foot of living area (based on 6,042 total square feet of living area), land included, when using the 2019 level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The board of review submitted a grid sheet with sale and assessment equity comparables. The improvement assessment is \$41,264 or \$6.83, when using the total of 6,042 square feet of living area. In support of its contention of the correct assessment the board of review submitted information on four equity and sale comparables.

Conclusion of Law

The taxpayer 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 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 assessment equity to be the appellant's comparables. These comparables had improvement assessments that ranged from \$7.16 to \$9.56 per square foot of living area. The subject's improvement assessment of \$6.83 per square foot of living area falls below the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

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 evidence that the subject sold. Instead, the appellant submitted two right to sell agreements. The Board finds these agreements are insufficient to prove by a preponderance of the evidence that the subject is overvalued as neither agreement resulted in a sale of the subject. The Board notes the board of review's comparable sales support the subject's assessment. Based on the evidence in the evidence in the record, the Boards finds the appellant did not meet the burden of proving by a preponderance of the evidence that the subject is overvalued and 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: February 20, 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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