



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

APPELLANT: Gary Babb/CDG Real Estate
DOCKET NO.: 19-49239.001-R-1
PARCEL NO.: 30-17-118-019-0000

The parties of record before the Property Tax Appeal Board are Gary Babb/CDG Real Estate, the appellant, by 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: \$2,015
IMPR.: \$3,985
TOTAL: \$6,000

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 is improved with a two-story frame and masonry constructed apartment building containing 5,130 square feet of living area. The building is approximately 91 years old. Features of the property include a partial basement with an apartment, 5½ bathrooms, and a three-car garage. The property has a 6,200 square foot site located in Calumet City, Thorton Township, Cook County. The subject is classified as a class 2-11 apartment building with 2 to 6 units 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 March 16, 2018, for a price of \$60,000. The appellant indicated the parties to the transaction were not related, the property was sold through a realtor, and the property had been advertised for sale in the multiple listing service. The appellant submitted a copy of the listing disclosing the property had been on the

market for 574 days. The listing stated the subject property was a legal five unit building that needs work to get it in rent ready condition. The appellant also submitted a copy of the Master Statement dated March 16, 2018, and identifying the seller as 8216-8218 So. Ellis Ave and 156th St. LLC. The purchase price of \$60,000 was disclosed and the statement further disclosed that real estate commissions were paid. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$6,000 to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$22,105. The subject's assessment reflects a market value of \$221,050 or \$43.09 per square foot of living area, land included, when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-11 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on two comparable sales improved with a one-story and a two-story, class 2-11, dwellings of masonry construction with 1,763 and 2,554 square feet of living area, respectively. The buildings were 45 and 55 years old, respectively. Each property has a partial or full basement with a formal recreation room, two bathrooms, and a 2 or 2.5-car garage. Comparable #1 has central air conditioning. These properties have sites with either 3,875 or 5,000 square feet of land area. The comparables have the same neighborhood code as the subject property. The sales occurred in June 2019 and January 2019 for prices of \$124,000 and \$145,000 or for \$70.33 and \$56.77 per square foot of living area, respectively.

In rebuttal the appellant's counsel argued that the board of review did not submit any evidence to challenge the validity of the subject's sale and argued the sale of the subject property supports a reduction in the subject's assessment.

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

The Board finds the best evidence of market value to be the purchase of the subject property in March 2018 for a price of \$60,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 574 days. The listing further indicated the property needed work prior to being made rent ready. In further support of the transaction the appellant submitted a copy of the settlement statement disclosing the name of the seller and the purchase price. The Board finds the purchase price is below the market value reflected by the subject's assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was

reflective of market value. The Board further finds the two sales provided by the board of review were not similar to the subject building in age or size, detracting from the weight that can be given this evidence in establishing the correct assessment of the subject property. Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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:

May 21, 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

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

APPELLANT

Gary Babb CDG Real Estate, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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