



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

APPELLANT: Carlos Salinas
DOCKET NO.: 19-50103.001-C-1
PARCEL NO.: 13-13-329-031-0000

The parties of record before the Property Tax Appeal Board are Carlos Salinas, the appellant(s), by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$ 6,985
IMPR.: \$ 18,015
TOTAL: \$ 25,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) after receiving a decision from the Cook County Board of Review. The instant appeal challenges the assessment for tax year 2019. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

Findings of Fact

The subject consists of a two-story mixed-use building of masonry construction with 3,960 square feet of building area. The building is 99 years old. Features of the building include a full unfinished basement. The property's site is 3,175 square feet, and it is located in Jefferson Township, Cook County. The subject is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$250,000 as of January 1, 2019. The appraisal states that the subject is occupied by tenants, and, therefore, it is not owner-occupied. The appraisal states that "We assume all building operating equipment to be in normal operating condition," that the subject is in fair condition, and that it has a remaining useful life of five years. With regard to sale comparable #2, the appraisal lists the

days on the market as “N/A” and further states that “According to CoStar, the buyer already occupied commercial space at this location with their restaurant named El Cubanito. The restaurant will expand into the full 10,000 square feet of ground floor space after remodeling has taken place.” No adjustment was made to this sale comparable for days on the market. Sale comparable #6 was listed as an REO sale, and was adjusted upwards 10.00% for conditions of sale. The sale comparables were built between 1889 and 1978, and had conditions of fair, average or good. Based on this evidence, the appellant requested a reduction in the subject’s assessment to \$25,000.

The board of review submitted its “Board of Review Notes on Appeal” disclosing that the total assessment for the subject is \$39,983. The subject’s assessment reflects a market value of \$399,830 when applying the 2019 statutory level of assessment for class 2 property of 10.00% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables, and four sale comparables. These sale comparables sold from January 2016 to June 2018 for \$390,000 to \$897,822, or \$128.73 to \$374.09 per square foot of building area, including land.

At hearing, the appellant called Shawn Schneider to testify. After *voir dire*, the Board accepted Mr. Schneider as an expert in real estate valuation for properties such as the subject without objection from the board of review.¹ Mr Schneider testified that he completed the appraisal previously submitted by the appellant, that he inspected the subject property, and that he utilized the income capitalization approach and the sales comparison approach in concluding that the subject’s market value as of January 1, 2019 was \$250,000.

During cross-examination, Mr. Schneider testified that he did not include the board of review’s four sale comparables in the sales comparison approach. When questioned about board of review sale comparable #1, Mr. Schneider testified that he would have to review the information for this sale comparable before making any statements about it. The board of review did not provide the witness with the board of review’s sale comparables, and did not request him to review these sale comparables.

Mr. Schneider testified that he selected five years as the subject’s remaining useful life based on his knowledge and experience in appraising properties. The expert witness further opined that the subject’s remaining useful life was not relevant to his analysis as he did not complete a cost approach to value for his report. He also testified that he rated the subject to be in fair condition based on his inspection, and that the mechanical components were assumed to be in normal operating condition. Throughout this line of questioning, Mr. Schneider seemed to be insinuating that the subject’s remaining useful life, its condition, and the condition of the mechanical components were all determined individually, and were not directly correlated.

The expert witness testified that he did not know the marketing time for sale comparable #2, and that is why he stated in the report that the days on the market was “N/A.” Mr. Schneider stated

¹ *Voir dire* was conducted during the hearing for docket number 19-49921, which was conducted earlier on the same day as the hearing for the instant appeal.

that it is standard appraisal practice to make no adjustment for factors that are unknown, and this standard practice is the reason he did not make an adjustment to sale comparable #2 for days on the market. The witness next confirmed that sale comparable #6 was an REO sale and was adjusted upward 10.00% for conditions of sale. Mr. Schneider testified that year built and condition are different factors that are not directly correlated.

During the board of review's case-in-chief, the board of review analyst reaffirmed the evidence previously submitted. During cross examination from the appellant's attorney, the board of review analyst testified that the board of review's notes on appeal was completed by Boetius Turek, and that she did not know if Mr. Turek inspected the sale comparables. She further testified that there is nothing in the record showing that the sale comparables were listed for sale on the open market, the name of the buyers, the name of the sellers, whether the transactions were at arm's-length, or the deed numbers for the transactions. The board of review analyst also testified that no adjustments were made to these comparables.

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 proven 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 the best evidence of market value to be the appraisal submitted by the appellant. The appraiser credibly testified at the hearing regarding the appraisal. The board of review analyst asked several questions of the appraiser during cross-examination regarding various decisions and inputs that went into preparing the appraisal, and the appraiser competently testified as to each of these factors. The board accorded no weight to the board of review's sale comparables as the data provided was merely raw sales data. The Board finds the subject property had a market value of \$250,000 as of the assessment date at issue. Therefore, based on this record, the Board finds the appellant has proven, by a preponderance of the evidence, that the subject is overvalued, and that a reduction in the subject's assessment is warranted. Since market value has been established, the 2019 statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00% shall apply.

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: _____

May 20, 2025



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

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