



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

APPELLANT: Salvador Berumen
DOCKET NO.: 19-50110.001-C-1
PARCEL NO.: 13-32-221-047-0000

The parties of record before the Property Tax Appeal Board are Salvador Berumen, 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: \$ 70,474
IMPR.: \$ 8,276
TOTAL: \$ 78,750

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 one-story building of masonry construction with 7,900 square feet of building area. The building is 50 years old. The property's site is 15,661 square feet, and it is located in Jefferson Township, Cook County. The subject is classified as a class 5-22 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 \$315,000 as of January 1, 2018. The appraisal does not state the time that sale comparables #3 and #5 were listed on the market, and neither of these sale comparables were adjusted for sale conditions. Sale comparable #2 was an REO sale, and was adjusted upward 5.00% for sale conditions. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$78,750.

The board of review submitted its “Board of Review Notes on Appeal” disclosing that the total assessment for the subject is \$115,312. The subject’s assessment reflects a market value of \$461,248 when applying the 2019 statutory level of assessment for class 5 property of 25.00% under the Cook County Real Property Assessment Classification Ordinance.

The board of review did not submit any evidence in support of the subject’s current assessment.

At hearing, the appellant called Robert Kang to testify. After *voir dire*, the Board accepted Mr. Kang as an expert in real estate valuation for properties such as the subject without objection from the board of review.¹ Mr. Kang testified that he completed the appraisal previously submitted by the appellant, that he inspected the subject property, and that he utilized sales comparison approach to value in concluding that the subject’s market value as of January 1, 2018 was \$315,000.

During cross-examination, Mr. Kang testified that there was no indication from his research that sale comparables #3 and #5 were non-arm’s-length transactions, and, as such, he made no adjustment for sale conditions. The witness testified that he utilized the CoStar listings or MLS listings in ascertaining whether these sale comparables were exposed to the market. He stated that the listing time for these sale comparables were not included in his report. The board of review analyst offered the CoStar listings for sale comparables #3 and #5 into evidence for the limited purpose of impeaching the witness, and the Board did, in fact, accept these two CoStar listings into evidence, over numerous objections from the appellant’s attorney. The CoStar listing for sale comparable #5 was marked as board of review Exhibit #1, and the CoStar listing for sale comparable #3 was marked as board of review Exhibit #2. Neither CoStar listing states a marketing time in the location where that information would typically be present. Mr. Kang testified that these CoStar listings were only one source he relied upon in determining that these sales were appropriate to utilize in his analysis, and that even after reviewing these other sources, he was unable to verify the amount of time sale comparables #3 and #5 were listed on the market. As such, he did not include this information in his report.

Next, Mr. Kang stated that he adjusted sale comparable #2 upward 5.00% for sale conditions, and that he arrived at the 5.00% upward adjustment based on his knowledge and experience in appraising properties.

During re-direct examination, Mr. Kang testified that in his experience, the information found on CoStar listings is only accurate about 50.00% of the time. Therefore, he utilizes multiple sources to verify a sale before including it in his appraisal reports.

During re-cross examination, Mr. Kang testified that marketing time is only one factor that he utilizes in ascertaining whether a sale was at its fair market value. He expounded by testifying that a property can be sold at its true market value without ever being exposed to the open market.

¹ *Voir dire* was conducted during the hearing for docket number 19-49926, which was conducted earlier on the same day as the hearing for the instant appeal.

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. Additionally, the Board finds that the board of review's attempt to impeach Mr. Kang did the opposite and actually bolstered his credibility. Board of review exhibits #1 and #2 do not state a marketing time for sale comparables #5 and #3, respectively. As such, Mr. Kang looked to other sources to ascertain this information, and was unable to find a marketing time. Thus, since he was unable to verify this information, he excluded it. Testimony that unverified information was excluded from the appraisal helps Mr. Kang's credibility. To do otherwise, such as including misleading or inaccurate information, would make a witness not credible; but that is not what happened here. Moreover, the board of review did not submit any evidence to rebut or challenge any portion of the appraisal. The Board finds the subject property had a market value of \$315,000 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 5 property under the Cook County Real Property Assessment Classification Ordinance of 25.00% 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

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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