



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

APPELLANT: Zully Guerrero Excellence Worldwide Realty
DOCKET NO.: 19-55300.001-R-1
PARCEL NO.: 20-26-222-031-0000

The parties of record before the Property Tax Appeal Board are Zully Guerrero Excellence Worldwide Realty, 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: \$6,781
IMPR.: \$2,719
TOTAL: \$9,500

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a final administrative decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 a 1.5-story dwelling of masonry exterior construction with 1,880 square feet of living area. The dwelling was built in 1922 and is approximately 97 years old. Features of the home include a basement with finished area and a 1-car garage. The property has a 5,425 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-04 property 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 August 17, 2017 for a price of \$29,000. The appellant partially completed Section IV of the appeal petition disclosing the parties to the sale were not related and the property sold using a realtor and was advertised for sale with the Multiple Listing Service. The appellant also disclosed in the appeal petition that

the subject sold again in September 4, 2017 for a price of \$30,919. In support of the overvaluation argument, the appellant submitted copies of a settlement statement dated September 5, 2017 indicating payment of realtors' commissions and a sale price of \$29,000; a listing sheet indicating a sale date of September 4, 2017 and a sale price of \$30,919; and a Real Estate Transfer Declaration with a sale date of August 2017 and sale price of \$29,000 indicating the property was advertised for sale.

The appellant also submitted information on six comparable sales located from 0.72 to 0.94 of a mile from the subject. The parcels range in size from 3,318 to 7,240 square feet of land area and are improved with 1.5 to 1.9-story homes ranging in size from 1,518 to 2,052 square feet of living area. The dwellings were built from 1916 to 1923. Each home has a basement, three of which have finished area, and from a 1-car to a 2.5-car garage. Two homes each have a fireplace. The comparables sold from December 2018 to November 2019 for prices ranging from \$57,500 to \$105,000 or from \$32.49 to \$65.22 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment 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 \$10,744. The subject's assessment reflects a market value of \$107,440 or \$57.15 per square foot of living area, land included, when using 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 information on two comparable sales,¹ one of which is located within the same assessment neighborhood code as the subject. The comparables have 3,075 and 5,500 square foot sites that are improved with 1-story or 1.5-story, class 2-04 homes of frame or masonry exterior construction with 1,972 and 2,246 square feet of living area. The dwellings are 96 and 139 years old and each features a basement, one of which has finished area. One home has a 2-car garage. The comparables sold in January 2020 and August 2021 for prices of \$175,000 and \$252,350 or \$88.74 and \$112.36 per square foot of living area, including land. Based on this evidence, the board of review requested the subject's assessment be sustained.

In written rebuttal, the appellant argued the board of review's comparables sold more remote in time from the assessment date and differ from the subject in design, dwelling size, age, and/or garage amenity.

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

¹ The board of review presented three comparables, but only presented sales data for two comparables.

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 record contains evidence of 2017 sales of the subject and eight comparable sales presented by the parties for the Board's consideration. The Board gave less weight to the subject's 2017 sales due to the fact these sales did not occur proximate in time to the assessment date at issue. The Board also gave less weight to the appellant's comparables #1 and #2 and the board of review's comparables, due to substantial differences from the subject in dwelling size, design, and/or garage amenity. Moreover, the board of review's comparables sold more remote in time from the assessment date than the other comparables in this record.

The Board finds the best evidence of market value to be the appellant's comparables #3 through #6, which sold more proximate in time to the assessment date and are more similar to the subject in dwelling size, age, location, site size, and features, although two comparables lack finished basement area that is a feature of the subject and three comparables have a larger garage than the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables sold for prices ranging from \$57,500 to \$105,000 or from \$32.49 to \$51.17 per square foot of living area, including land. The subject's assessment reflects a market value of \$107,440 or \$57.15 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment is 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: _____

July 16, 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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