



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

APPELLANT: Matthew Gierman
DOCKET NO.: 20-25238.001-R-1
PARCEL NO.: 23-25-408-008-0000

The parties of record before the Property Tax Appeal Board are Matthew Gierman, the appellant, by attorney Christopher G. Walsh, Jr., of Walsh Law, LLC in Chicago; 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: \$8,712
IMPR.: \$8,988
TOTAL: \$17,700

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 2020 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-story dwelling of frame exterior construction with 1,120 square feet of living area. The dwelling is approximately 65 years old. Features of the home include a concrete slab foundation,¹ a fireplace and a 2-car garage. The property has an approximately 15,840 square foot site and is located in Palos Heights, Palos Township, Cook County. The subject is classified as a class 2-03 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 May 1, 2017 for a price of \$125,000. The appellant partially completed Section IV – Recent Sale Data disclosing the

¹ The Board finds the best description of the subject's foundation was found in Section III – Description of Property of the appeal petition.

transaction was not between family members or related corporations, that the subject was sold with help from a Realtor and was advertised in the Multiple Listing Service (MLS) for an unknown period of time. The settlement statement submitted by the appellant reported commissions were paid to two real estate agents.

The appellant, through counsel, asserted the May 2017 sale of the subject, having occurred within three years of the January 1, 2020 assessment date at issue, should be reflective of the subject's market value as of the lien date at issue. In support of this assertion, counsel referred to two prior favorable PTAB decisions from 2003 and 2006 wherein this Board issued favorable decisions given the sale of a subject property had occurred within three years of the assessment date at issue in those appeal. Based on this evidence, the appellant requested the subject's assessment be reduced 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 \$18,350. The subject's assessment reflects a market value of \$183,500 or \$163.84 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located in the same assessment neighborhood code as the subject property. The comparables have sites with either 15,647 or 15,840 square feet of land area and are improved with 1-story class 2-03 dwellings of masonry or frame and masonry exterior construction ranging in size from 1,268 to 1,411 square feet of living area. The homes range in age from 58 to 72 years old. Three comparables have a basement with finished area and one comparable has a concrete slab foundation. Each property has one fireplace and either a 1-car or a 2-car garage. Three dwellings have central air conditioning. The comparables sold from July 2017 to September 2020 for prices ranging from \$200,000 to \$347,500 or from \$141.74 to \$274.05 per square foot of living area, land included.

The board of review's grid analysis also depicted the subject property sold in June 2020 for a price of \$177,000 or \$158.04 per square foot of living area, land included. In further support of the subject's June 2020 sale, the board of review submitted screen shots reporting two transactions dated June 2, 2020 which were associated with the subject property. One transaction represents a trustees deed between grantor, Michael Gierman TR and grantee, Matthew E. Gierman while a second June 2, 2020 transaction is reported to be a mortgage document between Matthew E. Gierman and Mortgage Electronic Registration Systems, Inc. in an amount of \$168,150. The Board notes that no details with respect to the June 2, 2020 trustees deed were submitted by the board of review. The board of review also submitted information on seven properties which lacked any sale information. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 June 2020 purchase of the subject property for a price of \$177,000 which occurred more proximate to the January 1, 2020 assessment date than the May 1, 2017 sale of the subject property and was not refuted by the appellant. 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 this transaction. Based on this record the Board finds the subject property had a market value of \$177,000 as of January 1, 2020. Since market value has been determined the level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. 86 Ill.Admin.Code §1910.50(c)(2)

The Board gives little weight to board of review comparables #2, #3 and #4 which have finished basements and central air conditioning, both features the subject property lacks. The Board gives no weight to the board of review's seven additional comparables which lack any recent sale information. Furthermore, the Board finds board of review comparable #1, which is similar to the subject in location, age, design, dwelling size and other features and sold in September 2020 for a price of \$200,000 or \$141.74, provides support for the subject's June 2020 sale price.

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: _____

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

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