



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

APPELLANT: Chris Flinn
DOCKET NO.: 20-25348.001-R-1
PARCEL NO.: 16-08-317-015-0000

The parties of record before the Property Tax Appeal Board are Chris Flinn, the appellant(s); and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** 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: \$ 8,170
IMPR.: \$ 40,535
TOTAL: \$ 48,705

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 2020. 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 dwelling of frame construction with 2,480 square feet of living area. The dwelling is 127 years old. Features of the home include a full basement with a formal recreation room, central air conditioning, three fireplaces, and a two-car garage. The property's site is 8,600 square feet, and it is located in Oak Park Township, Cook County. Furthermore, the subject is located on Austin Boulevard. The subject is classified as a class 2-06 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 \$399,000 as of January 1, 2020. The appraisal was completed by Michael Grimes, an Illinois certified general real estate appraiser. Mr. Grimes used five sale comparables in the sales comparison approach to estimate the subject's market value. Sale comparables #1, #2, and #3 were located on Austin Boulevard, and comparables #4 and #5 were located on Taylor Avenue. All five sale

comparables were located in Oak Park. The appraiser made various adjustments to the five sale comparables based on alleged dissimilarities to the subject. These adjustments were quantified as follows: comparable #1 had a net adjustment of 9.28% and a gross adjustment of 38.04%; comparable #2 had a net adjustment of 26.01% and a gross adjustment of 38.68%; comparable #3 had a net adjustment of 86.85% and a gross adjustment of 96.38%; comparable #4 had a net adjustment of -24.40% and a gross adjustment of 46.10%; and comparable #5 had a net adjustment of -43.80% and a gross adjustment of 46.00%. Notably, the appraiser adjusted both sale comparable #4 and sale comparable #5 downward 25.00% to account for a superior view as compared to the subject, as neither of these two sale comparables are located on Austin Boulevard. Mr. Grimes did not complete the income approach to value or the cost approach to value. In Section II of the appeal form, the appellant stated that the subject is owner-occupied. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$39,900.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the total assessment for the subject is \$48,705. The subject's assessment reflects a market value of \$487,050, or \$196.39 per square foot of living area, including land, when applying the 2020 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 May 2018 to February 2020 for \$740,000 to \$935,000, or \$208.27 to \$308.30 per square foot of living area, including land.

In rebuttal, the appellant argued that the board of review's sale comparables were not similar to the subject for various reasons, and also reaffirmed the evidence previously submitted.

At hearing, the appellant, appearing *pro se*, called Mr. Grimes as a witness. The board of review representative, Mariclare O'Connor, waived *voir dire* of Mr. Grimes, and the Board accepted Mr. Grimes as expert in the valuation of real estate. Mr. Grimes testified that the subject is located on Austin Boulevard, which is a busy street and decreases the value of the subject. The appraiser testified that he used sales on Austin Boulevard as well as sales not located on Austin Boulevard in the sales comparison approach.

Upon cross-examination from Ms. O'Connor, Mr. Grimes testified that the three sale comparables on Austin Boulevard were located a mile or more away from the subject. He further testified that he did not know how many of the sale comparables were class 2-06 properties.

Ms. O'Connor then asked the appraiser the following question: "Would you concede that [the adjustments to the comparables] are relatively very high in the practice?" Mr. Grimes responded, "They are high adjustments, and underwriters don't like to see anything like that. If this were an application for a loan, it would be difficult. It is simply my opinion that the effect of being on Austin Boulevard has a tremendous effect on property values." Mr. Grimes added that he has seen discounts in property values of 25.00% to 50.00% for homes located on busy streets.

During the board of review's case-in-chief, Ms. O'Connor reaffirmed the evidence previously submitted.

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 not meet this burden of proof, and a reduction in the subject's assessment is not warranted.

The Board does not find the appraisal submitted by the appellant to be credible, and, therefore, does not find it persuasive. The gross adjustments made to the five sale comparables ranged from 38.04% to 96.38%. As Mr. Grimes testified on cross-examination, "They are high adjustments, and underwriters don't like to see anything like that. If this were an application for a loan, it would be difficult." The Board agrees with this statement. Mr. Grimes then immediately offered a subsequent qualifying statement, testifying that "It is simply my opinion that the effect of being on Austin Boulevard has a tremendous effect on property values." However, this qualifying statement does not change the fact that the adjustments made to the five sale comparables were extremely large, even for the three sale comparables located on Austin Boulevard.

For example, sale comparable #3 is located on Austin Boulevard and has a net adjustment of 86.85% and a gross adjustment of 96.38%. The appraiser made no adjustment for view, as this sale comparable is similarly located on Austin Boulevard. Contrarily, sale comparables #4 and #5, which are not located on Austin Boulevard, were adjusted downward 25.00% for view. Thus, despite not having a large 25.00% adjustment for view, sale comparable #3 still had exorbitant net and gross adjustments. In the Board's view, this sale comparable is not similar to the subject, other than it is located on the same busy street. While the adjustments made to sale comparables #1 and #2 are less than those made to comparable #3, they are still very high, as Mr. Grimes testified. The Board likewise finds that these comparables are not similar to the subject, other than their location on Austin Boulevard.

Based on the foregoing reasons, the Board finds that the appraisal submitted by the appellant is not credible, and the Board accords it no weight in this analysis. However, the Board will look to the raw sales data submitted by the parties, including the raw sales data for the sale comparables found in the sales comparison approach of the appraisal.

The Board finds the best evidence of market value to be appellant's sale comparable #4 found in the sales comparison approach of the appraisal, and board of review sale comparables #2 and #3. These sale comparables sold for prices ranging from \$221.81 to \$308.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$196.39 per square foot of living area, including land, which is below the range established by the best comparables in this record. Based on this record, the Board finds the appellant has not proven, by a preponderance of the evidence, that the subject is overvalued, and that a reduction in the subject's assessment is not warranted.

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:

April 19, 2022



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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