



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

APPELLANT: Najdeni Gert  
DOCKET NO.: 20-25968.001-R-1  
PARCEL NO.: 05-21-322-047-1030

The parties of record before the Property Tax Appeal Board are Najdeni Gert, 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 **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:** \$ 3,136  
**IMPR.:** \$ 25,122  
**TOTAL:** \$ 28,258

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject consists of a condominium unit with a 4.910% ownership interest in the common elements. The property is located in New Trier Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance. No evidence was submitted as to whether the subject is owner occupied.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted three sale comparables. These comparables sold from January 2021 to April 2021 for prices ranging from \$190,000 to \$210,000. The appellant also submitted evidence disclosing that the subject was purchased on October 1, 2019 for \$267,500. In Section IV of the appeal form, the appellant stated that the subject was sold by the owner, that no real estate brokers were used in the transaction, and that the property was not advertised for sale on the

open market. In Section II of the appeal form, the appellant stated that the subject was owner-occupied. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$26,750.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$31,072. The subject's assessment reflects a market value of \$310,720 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 the subject's assessment, the board of review submitted a memorandum showing that three units in the subject's building, or 11.050% of ownership, sold from June 2018 to June 2020 for \$246,000 to \$260,000. The aggregate sale price was divided by the percentage of interest of the units sold to arrive at a total market value for the building of \$6,932,126. The subject's percentage of ownership was then utilized to arrive at a market value for the subject of \$340,367. The board of review's memorandum also states that "[p]er appellant's own appeal form and settlement statement, the subject sale was an off-market disposition of the grantor's estate; it is not a market transaction."

At hearing, the appellant, proceeding *pro se*, testified that he lived in the subject's building prior to purchasing it, and that he heard that the subject was about to be sold through word of mouth. The appellant further testified that he and the seller negotiated the purchase price prior to the sale. The settlement statement submitted by the appellant was marked as "Exhibit #1." The board of review analyst 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 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 did meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds that there is no evidence in the record to show that the sale of the subject in October 2019 was an arm's-length transaction, as the subject was sold by the owner, neither party utilized the services of a real estate broker, and the subject was not advertised for sale on the open market. Thus, the Board finds that the sale of the subject in October 2019 was not an arm's-length transaction, and, as such, the Board accorded no weight to this sale.

The Board finds that the best evidence of market value to be appellant's comparables #1 and #2, and all of the board of review's comparables. Thus, the Board will take the sum of the sale prices of the most similar sales (\$1,166,000), divide by the total percentage of ownership of the units sold (20.260%), and multiply the result (\$5,755,183) by the subject's percentage of ownership (4.910%), which results in a market value for the subject of \$282,579. The subject's current assessment reflects a market value above the market value reflected by the most similar sale comparables. Therefore, the Board finds that the appellant has proven, by a preponderance

of the evidence, that the subject is overvalued, and a reduction in the subject's assessment is 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

AGENCY

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