



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

APPELLANT: Gary Destefano  
DOCKET NO.: 20-26029.001-R-1  
PARCEL NO.: 11-19-417-032-1002

The parties of record before the Property Tax Appeal Board are Gary Destefano, the appellant(s), by attorney Chris D. Sarris, of Steven B. Pearlman & Associates 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:** \$4,427  
**IMPR.:** \$68,573  
**TOTAL:** \$73,000

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

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 single condominium unit with 45.45% ownership in the common elements, located within a 1-year-old, 2-unit, condominium building. The subject property is located on a 6,089 square foot site in Evanston, Evanston township. The subject property is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

Appellant's appeal is based on overvaluation. In support of its market value argument, appellant completed Section IV – Recent Sale Data in its Residential Appeal Form indicating the subject property was purchased on September 23, 2020, for \$730,000, it was advertised for sale with the multiple listing service for 308 days, and it sold using a realtor. Appellant submitted copies of the MLS listing, Warranty Deed, Settlement Statement, and Title Insurance Policy. Appellant also submitted a copy of the board of review's decision letter reflecting an assessed valuation for

the subject property of \$75,447. Based on this evidence, appellant requested a reduction in the subject property's assessment to \$73,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for one condominium unit located within the subject property of \$75,447, which reflects a total market value for that unit of \$754,470, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. In its Condominium Analysis Results for 2020, the board of review listed assessment values for the subject property. In support of its contention of the correct assessment, the board of review submitted its Assessment Analysis based on sales information on both the subject property and the second condominium unit located within the same building as subject property. These units sold from 2019 to 2020 for a total value of \$1,660,000. Based on a total percentage of interest of these units sold of 100%, the board of review calculated a full market value for the condominium building of \$1,660,000 and a market value for the subject property of \$754,470. In its notes, the board of review contends the developer sold the subject property at a discount in order to complete their construction process and included copies of the MLS listings for both units.

### **Conclusion of Law**

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 appellant *has not met* this burden of proof and a reduction in the subject's assessment *is not* warranted.

The Board finds the best evidence of market value to be the purchase of the subject property on September 23, 2020, for \$730,000. Appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. Appellant completed Section IV – Recent Sale Data in its Residential Appeal Form indicating the subject property was purchased on September 23, 2020, for \$730,000, it was advertised for sale with the multiple listing service for 308 days, and it sold using a realtor. Appellant submitted copies of the MLS listing, Warranty Deed, Settlement Statement, and Title Insurance Policy. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. Furthermore, the Board finds the differences in price between the subject property and the other unit is due to the comparable unit's larger living area square footage. Based on this record, the Board finds the subject property had a market value of \$730,000 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). A reduction in the subject property's assessment that is commensurate with the purchase price 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

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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