



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

APPELLANT: Jonel Maiogan  
DOCKET NO.: 20-32526.001-R-1  
PARCEL NO.: 03-36-310-003-0000

The parties of record before the Property Tax Appeal Board are Jonel Maiogan, the appellant(s), by attorney Joe Huang, of the Law Offices of Terrence Kennedy Jr. 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 **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:** \$8,971  
**IMPR.:** \$36,039  
**TOTAL:** \$45,010

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 is improved with a 28-year-old, two-story, building of frame and masonry construction containing 3,340 square feet of gross building area. Features of the subject include a partial unfinished basement, central air conditioning, one fireplace and a two-car garage. The property is situated on 10,875 square feet of land in Wheeling Township, Cook County. The subject is classified as a Class 2 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 a settlement statement that disclosed the subject property was purchased on December 6, 2018, for \$401,000. It disclosed two line-items for IRS lien payoffs for a total of \$238,619.83.

The subject's sale price reflects a market value of \$120.06 per square foot of gross building area including land. The appellant provided information in Section IV–Recent Sale Data of the Residential Appeal that the subject was not transferred between related parties; was advertised by a realtor but sold by the owner; was not sold due to a foreclosure; and was not sold using a contract for deed. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$35,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,010. The subject's assessment reflects a market value of \$450,100, or \$134.76 per square foot when applying the 2020 level of assessment of 10.00% for Class 2 property 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 suggested comparable assessment equity properties.

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

The appellant did not demonstrate the sale had the elements of an arm's-length transaction. The appellant provided information in Section IV-Recent Sale Data of the appeal that the parties to the transaction were not related; and that the property was advertised by a Realtor but that it was sold by the owner. This creates a question of to what extent, if any, the realtor was involved and exposed the subject to the open market if the subject property was not sold by the realtor but by the owner. The appellant, as moving party, did not submit evidence to clarify this issue. The appellant informs the Board the property was not sold due to a foreclosure, but that it was not sold using a contract for deed. The appellant did not submit evidence of how the subject was sold. The IRS tax liens were more than half the sale price. The subject was sold in 2018 during a prior general assessment period.

The evidence submitted by the board of review was four suggested assessment equity properties. None of these were similar with the subject in gross building area and other key property characteristics. Still, the appellant did not meet the burden of proving the assessment warrants a reduction by a preponderance of the evidence. The Board gives little weight to the subject's sale because it did not occur proximately in time to the assessment date at issue and did not have the elements of an arm's-length transaction.

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:

February 20, 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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