



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

APPELLANT:     Natasha Bell  
DOCKET NO.:    20-36570.001-R-1  
PARCEL NO.:     29-11-132-015-0000

The parties of record before the Property Tax Appeal Board are Natasha Bell, the appellant, by Jessica Hill-Magiera, Attorney at Law, in Lake Zurich, 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:**       \$3,942  
**IMPR.:**       \$8,058  
**TOTAL:**      \$12,000

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 multi-level dwelling of frame and masonry exterior construction with 1,356 square feet of living area. The dwelling was built in 1974 and is approximately 46 years old. Features include a partial basement, with finished area, central air conditioning and a two-car garage. The property has a 10,513 square foot site and is located in Dolton, Thornton Township, Cook County. The subject is classified as a class 2-34 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 partially completed Sec. IV – Recent Sale Data of the appeal petition reporting that the subject property was purchased on August 31, 2020 for \$120,000 from the “owner of record,” that the parties to the transaction were not related, the property was sold by the Realtor and was advertised with the Multiple Listing Service (MLS). In addition, the appellant submitted a copy of the Settlement Statement related to the sale transaction reporting the seller to be Sharon

Palmer, reiterating the sale price and the date. In addition, the document depicts distribution of commissions to two entities. The Settlement Statement further depicted the subject property had an outstanding loan amount at the time of sale of \$117,826 resulting in a relatively small payout to the seller after deduction of the various charges and prorations. Additionally, the appellant submitted a copy of an MLS data sheet for the subject property with a listing date of May 23, 2020 and a closing date of August 31, 2020. The data sheet further depicts an original listing price of \$150,000 before the property was sold for \$120,000 after being on the market for 17 days at which point it was taken off the market on June 8, 2020. The description notes the roof was replaced in 2015 with a transferrable warranty of 45 additional years, a new central air conditioner, furnace and newer hot water tank. Although noting the home was in “excellent condition” it further stated the property was being sold as is. A copy of the PTAX-203 Illinois Real Estate Transfer Declaration related to the sale in August 2020 for \$120,000 was also submitted noting the property transferred by Warranty Deed and was intended to be the buyer’s principal residence.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the August 2020 purchase price of \$120,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$12,762. The subject's assessment reflects a market value of \$127,620, land included, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

As part of the “Notes on Appeal,” the board of review asserted that the Settlement Statement related to the sale “indicates that the net proceeds to the seller were only a small fraction on the sale price.” Furthermore, the board of review noted the MLS data sheet indicated the property was “sold as is – with minimal market exposure.” As part of the grid analysis, the board of review reported that the subject property sold in October 2020 for \$120,000.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the subject’s neighborhood code and within ¼ of a mile from the subject. The parcels range in size from 5,000 to 6,783 square feet of land area and are each improved with a class 2-34 multi-level dwelling of frame and masonry exterior construction. The homes are either 46 or 49 years old and range in size from 1,066 to 1,266 square feet of living area. Each dwelling has a partial basement with finished area. Two homes have central air conditioning and each comparable has a two-car garage. The comparables sold from February to November 2020 for prices ranging from \$119,900 to \$144,000, including land. Given the sales from the subject’s immediate area which “sold within the lien year,” the board of review requested confirmation of the subject’s estimated market value as reflected by its assessment.

In rebuttal, the appellant’s counsel noted that the board of review did not address the appellant’s evidence related to the August 2020 purchase of the subject property for \$120,000 nor did the board of review challenge the arms’ length nature of the sale transaction. In this regard, with reference to prior decisions of the courts and the Property Tax Appeal Board, the appellant contends that the comparable sales evidence presented by the board of review does not overcome the subject’s market value evidence based on an arm’s length sale.

### **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 purchase of the subject property in August 2020 for a price of \$120,000 as reported by the appellant and further detailed within the board of review's grid analysis although the board of review did not specifically address nor challenge this reported sale price. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant partially completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a Realtor, and the property had been advertised on the open market through the MLS. The appellant supplied a copy of the MLS data sheet depicting the property had been on the market and that the original asking price had been higher than the eventual sale price. In further support of the transaction the appellant submitted a copy of the Settlement Statement and the PTAX 203 Illinois Real Estate Transfer Declaration indicated that the property transferred via Warranty Deed and was intended to be the buyer's residence. The Settlement Statement depicted the payment of commissions to two entities related to the transaction and a substantial outstanding mortgage on the property.

The board of review provided three sales of suggested comparable properties in order to support the assessment of the subject building for tax year 2020. A contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). Furthermore, the sale of a property during the tax year in question is a relevant factor in considering the validity of the assessment. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369, 375 (1st Dist. 1983). More importantly, the Board finds the board of review did not present any substantive evidence to challenge the arm's length nature of the subject's August 2020 sales transaction or to refute the contention that the purchase price was reflective of market value at the time of sale.

In light of the foregoing case law and the evidence presented herein, the Board has given little weight to board of review comparable sales which fail to overcome the apparent unrefuted arm's length sales price of the subject property reported in this appeal from August 2020 but further the Board recognizes that the subject's sales price of \$120,000 falls within the range of the sales prices of the three comparables presented by the board of review. In summary, the Board finds the purchase price of \$120,000 is somewhat below the market value reflected by the assessment of \$127,620.

In conclusion, based on this record, the Board finds the subject property had a market value of \$120,000 as of January 1, 2020. Since market value has been determined level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of

10% shall apply resulting in a reduction in assessment commensurate with the appellant's request. 86 Ill.Admin.Code §1910.50(c)(2).

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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