



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

APPELLANT: Babajide Osibogun
DOCKET NO.: 20-36589.001-R-1
PARCEL NO.: 29-09-217-002-0000

The parties of record before the Property Tax Appeal Board are Babajide Osibogun, 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: \$3,740
IMPR.: \$560
TOTAL: \$4,300

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 1-story dwelling of frame exterior construction with 1,687 square feet of living area. The dwelling was built in 1956 and is approximately 64 years old. Features of the home include a crawl space foundation, a fireplace and a 2-car garage. The property has a 9,975 square foot site and is located in Dolton, Thornton Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on September 16, 2019 for a price of \$43,000. The appellant's counsel disclosed in Section III of the appeal petition that the subject property was purchased from the owner of record, the parties to the transaction were not related and the property was advertised in the Multiple Listing Service (MLS) using a realtor. The appellant submitted a copy of the MLS datasheet depicting the property had a listing market time of 11 days. A copy of the Settlement Statement reflects the purchase price of \$43,000 and

disclosed the seller was the Secretary of Housing and Urban Development and that commissions were paid to two realty agencies.

In further support of the overvaluation claim, the appellant provided three comparables sales that have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 5,332 to 7,771 square feet of land area that are improved with 1-story dwellings ranging in size from 1,277 to 1,679 square feet of living area. The dwellings were built from 1951 to 1957. Comparable #1 has central air conditioning and a fireplace. Each comparable has a 2-car or a 2.5-car garage. The properties sold from January to October 2020 for prices ranging from \$29,000 to \$40,000 or from \$20.85 to \$31.32 per square foot of living area, including land.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$3,801.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,244. The subject's assessment reflects a market value of \$82,440 or \$48.87 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In response to the appeal, the board of review submitted information on four comparable sales that have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 5,992 to 9,975 square feet of land area. The comparables are class 2-03 properties that are improved with 1-story or 1.5-story dwellings of frame or masonry exterior construction ranging in size from 1,086 to 1,333 square feet of building area. The dwellings are 63 to 67 years old. Comparable #1 has a full unfinished basement and central air conditioning. Three comparables each have a crawl space foundation. Each comparable has a 1.5-car or a 2-car garage. The properties sold from April 2019 to September 2020 for prices ranging from \$44,377 to \$47,450 or from \$34.51 to \$40.86 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, counsel for the appellant asserted that the board of review did not dispute the recent sale of the subject property or contest its validity. Counsel also argued that the board of review's failure to respond or object to the appellant's comparable sales should serve as an admission that the comparable sales are valid and should be considered in determining a fair market value. Counsel requested a reduction in the subject's assessment.

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 September 2020 for a price of \$43,000. 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, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for 11 days. In further support of the transaction the appellant submitted a copy of the settlement statement. 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 and the comparable sales provided by the board of review do not overcome the weight to be given to the contemporaneous arm's length sale of the subject property in establishing the assessment for the year at issue. Additionally, the record contained seven comparable sales for the Board's consideration. Less weight was given to board of review comparable #1 which has an unfinished basement and central air conditioning, neither of which are features of the subject, as well as board of review comparable #3 due to its dissimilar 1.5-story design when compared to the subject's 1-story design. The five remaining comparables sold for prices ranging from \$29,000 to \$47,450, which further supports that the subject's purchase price of \$43,000 is reflective of market value as of January 1, 2020.

Based on this record the Board finds the subject property had a market value of \$43,000 as of January 1, 2020. Since market value has been determined the level of assessment 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)

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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