



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

APPELLANT: Michelle Webster
DOCKET NO.: 20-40930.001-R-1
PARCEL NO.: 18-05-429-012-0000

The parties of record before the Property Tax Appeal Board are Michelle Webster, the appellant, by Wayne C. Borawski, Attorney at Law in Brookfield, 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: \$6,750
IMPR.: \$40,977
TOTAL: \$47,727

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 two-story dwelling of stucco exterior construction that contains 1,191 square feet of living area. The dwelling is approximately 97 years old. Features of the property include a full unfinished basement, one fireplace, one bathroom, and a detached two-car garage with 400 square feet of building area. The property has a 7,500 square foot site located in LaGrange, Lyons Township, Cook County. The subject is classified as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on January 11, 2018, for a price of \$266,000 or \$223.34 per square foot of living area, including land. To support this argument the appellant completed Section IV – Recent Sale Data of the appeal identifying the seller as LaGrange State Bank, Trustee under trust number 903, and further indicated the parties to the transaction were not related. The appellant also indicated the property was sold through a

Realtor, Re/Max Action, and had been advertised in the Multiple Listing Service for 177 days. The appellant also disclosed the property sold due to a foreclosure action and that \$70,000 was spent on renovations prior to the property being occupied on December 15, 2018. As documentation the appellant submitted a copy of the settlement statement dated January 11, 2018, and stating the purchase price of \$288,000; a copy of the real estate sales contract; a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing the purchase price and indicating the transaction was a short sale; a copy of the subject's listing & property history report, which also disclosed the transaction was a short-sale; and a copy of the trustee's deed. The listing further indicated that the property was listed for sale on July 18, 2017, with an original price of \$279,000, and the contract was entered on October 31, 2017, approximately 106 days after being listed. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$47,727. The subject's assessment reflects a market value of \$477,270 or \$400.37 per square foot of living area, land included, when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-05 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with two-story dwellings of frame or frame and masonry exterior construction that range in size from 1,456 to 2,022 square feet of living area. The homes range in age from 71 to 97 years old. Three comparables have full unfinished basements while comparable #1 has a slab foundation. Comparable #3 has central air conditioning, comparable #2 through #4 have one or two fireplaces, and comparables #3 and #4 have a one-car or a two-car garage. The comparables have from 1 to 2 bathrooms. These properties have sites ranging in size from 6,288 to 9,450 square feet of land area. Each property has the same classification code as the subject but only comparable #2 has the same assessment neighborhood code as the subject property. The sales occurred from April 2020 to December 2020 for prices ranging from \$700,000 to \$1,125,000 or from \$458.12 to \$672.39 per square foot of living area, including land.

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 Board finds less weight should be given to the purchase of the subject property in January 2018, for a price of \$266,000 or \$223.34 per square foot of living area, including land. The Board finds the sale of the subject occurred approximately two years prior to the assessment date at issue and was based on a contract entered in October 2017, not proximate in time to the assessment date, calling into question whether the purchase price is reflective of fair cash value as of January 1, 2020. Additionally, the appellant indicated that \$70,000 in renovation costs

were made after the sale and prior to occupancy in December 2018, which would need to be considered when determining the subject's fair cash value as of the assessment date at issue.

The appellant did provide evidence demonstrating the sale had elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal and provided documentation 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 had been on the market for 106 days prior to a contract being entered. In further support of the transaction the appellant submitted a copy of the settlement statement, a copy of the real estate sales contract, a copy of the PTAX-203 Illinois Real Estate Transfer Declaration, and a copy of the MLS listing for the subject property. The record disclosed transaction was a short sale and may have been the result of a foreclosure, however, the exposure of the subject property on the market through a realtor and in the multiple listing service for approximately 3½ months lends credence to the arm's length nature of the sale. The Board also finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. The Board also finds the purchase price is below the market value reflected by the subject's assessment. The Board finds, however, the sale occurred approximately two years prior to the assessment date, suggesting an upward adjustment for time may be appropriate, and renovations to the home were made after the purchase, detracting from the weight that can be given the purchase in establishing the fair cash value of the subject property as of January 1, 2020.

The Board finds the board of review submitted four comparable sales that occurred more proximate in time to the assessment date than did the sale of the subject property. These comparables are similar to the subject in style, age and relative features with the exception each home is larger than the subject dwelling, indicating that downward adjustments to the comparables for size would be appropriate. Nevertheless, these comparables sold for prices ranging from \$700,000 to \$1,125,000 or from \$458.12 to \$672.39 per square foot of living area, including land. The subject's assessment reflects a market value of \$477,270 or \$400.37 per square foot of living area, including land, which is significantly below the range established by the board of review comparable sales. These sales support the conclusion the subject property is not overvalued as of the assessment date at issue.

Based on this record, after considering the sale of the subject property and the comparable sales provided by the board of review, the Board finds the subject's assessment is reflective of fair cash value and a reduction in the subject's assessment is not justified.

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:

May 21, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Michelle Webster, by attorney:
Wayne C. Borawski
Attorney at Law
9213 West Burlington Avenue
Brookfield, IL 60513

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602