



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

APPELLANT: Stanley Mozdzen
DOCKET NO.: 20-43301.001-R-1
PARCEL NO.: 32-10-201-019-0000

The parties of record before the Property Tax Appeal Board are Stanley Mozdzen, the appellant; 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: \$6,562
IMPR.: \$20,038
TOTAL: \$26,600

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 three-story, multi-family building of masonry exterior construction with 6,270 square feet of building area. The building is approximately 48 years old and has a concrete slab foundation. The property has a 17,500 square foot site and is located in Glenwood, Bloom Township, Cook County. The subject is classified as a class 2-11 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 completed Section IV – Recent Sale Data of the Residential Appeal petition disclosing the subject property was purchased from 444 Glenwood Dyer Road, LLC on June 13, 2019 for a price of \$266,000. The appellant further disclosed the sale did not involve family members or related corporations, the subject property was sold by Thomas Heitzman, who is a realtor with Marcus & Millichap, and the property was advertised in a Multiple Listing Service (MLS) for a period of 60 days. To document the sale, the appellant submitted copies of the settlement

statement further disclosing real estate commissions to the Law Office of Patrick J. Doherty and Marcus and Millichap.

In further support of the overvaluation argument, the appellant submitted information on two comparables, one of which sold, that are located within close proximity to the subject. The Board will not examine comparable #2 any further since only equity data was provided for this comparable, which is not responsive to the appellant's overvaluation argument. Comparable sale #1 has a 15,120 square foot site improved with a class 2-11, three-story building of masonry exterior construction with 6,270 square feet of building area and is 45 years old. The comparable sold in November 2018 for a price of \$160,000 or \$25.52 per square foot of building area, land included.

Based on this evidence, the appellant requested the subject's total assessment be reduced to reflect its purchase price of \$26,600.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$44,535. The subject's assessment reflects a market value of \$445,350 or \$71.03 per square foot of building area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that are located within a different neighborhood code and a different city than the subject property. The comparables have from 3,000 to 6,250 square foot sites improved with class 2-11, two-story or three-story buildings of masonry exterior construction that range in size from 3,553 to 5,460 square feet of building area and in age from 22 to 66 years old. Two of the comparables each have concrete slab foundations, and two of the comparables each have full basements, one of which has finished area. Two comparables each have central air conditioning, and one comparable has a three-car garage. The comparables sold from April 2019 to November 2020 for prices ranging from \$165,000 to \$394,000 or from \$43.18 to \$72.16 per square foot of building area. The appellant also disclosed within the grid analysis the subject property sold in June 2019 for \$266,000. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

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 June 2019 for a price of \$266,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the Residential Appeal petition 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 with a Multiple Listing Service for approximately 60 days. In further support of the transaction the appellant submitted a copy of the settlement statement disclosing real estate commissions to the Law Office of Patrick J. Doherty and Marcus and Millichap. Furthermore, the Board finds the board of review did not present any substantive documentary evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The Board finds the subject's purchase price of \$266,000 is below the market value reflected by its assessment of \$445,350. The Board gives less weight to the appellant's comparable sale #1 that sold in 2018 as it is less likely to reflect the subject's market value as of its assessment date on January 1, 2020. The Board also gives less weight to the board of review comparable sales which differ from the subject in location, lot size, dwelling size, age, and/or other features.

Based on this record, the Board finds a reduction in the subject's assessment to reflect its 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



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:

November 22, 2022



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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