



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

APPELLANT: Rosemary Williams  
DOCKET NO.: 21-23141.001-R-1  
PARCEL NO.: 16-07-315-011-0000

The parties of record before the Property Tax Appeal Board are Rosemary Williams, the appellant(s), 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:** \$8,415  
**IMPR.:** \$15,585  
**TOTAL:** \$24,000

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 2021 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 114-year-old, two-story, multi-family dwelling of masonry construction with 3,856 square feet of living area.<sup>1</sup> Prior to the lien year, features of the home included: three apartment units, including a basement apartment, three full bathrooms and a four-car garage. The property has a 7,480 square foot site and is located in Oak Park, Oak Park Township, Cook County. The property had gone through extensive renovations which had rendered the first and second floors apartments uninhabitable. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

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<sup>1</sup> The appellant's appraiser reported the dwelling contained 3,416 square feet of living area plus garden level. The appraiser notes that the county records indicate the square footage to be "3,856sf" which he noted to be incorrect based upon the measurements in the plat of survey and his personal inspection of the subject. In its filing the board of review contended this property had a total of 3,856 square feet of living area, however, provided no evidence or testimony to rebut the appraiser's conclusion as to the living area square footage. The Board finds the best evidence of building size is found in the appraisal provided by the appellant.

The appellants, Rosemary Williams and Katina Smith (co-owner of the subject property), contend overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$240,000 as of January 1, 2021. The appraiser described the subject as a 2-story, 3-unit, brick residential apartment building totaling approximately 3,416 square feet of gross building area with a partially finished basement with a garden apartment, a fenced yard and a 4-car garage. The appraisal was prepared by Michael Grimes, a certified residential real estate appraiser, for the purpose of this appeal.

The appraiser utilized the sales comparison approach to value the subject property. The cost approach and the income capitalization approach were not considered by the appraiser. The appraiser relied on three suggested comparable properties that sold between August 2020 and December 2020, for amounts ranging from \$217,000 to \$420,000 or between \$48.64 and \$242.81 per square foot of living area, land included in the sale prices.

As part of the submitted evidence the appellants provided a letter signed by Rosemary Williams describing the subject as a partial uninhabitable three-unit apartment building. She indicated that she lives in the garden unit because the two above-grade units are uninhabitable. She detailed the on-going issues with the renovation of the property which led to its uninhabitability in 2021. Based on this submission, the appellant requested a reduction in the subject's total assessment to \$24,000.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$43,466. The subject's assessment reflects a market value of \$434,660.00 or \$112.72 per square foot of living area, land included, when applying a 10% level of assessment for Class 2 properties as determined by the Cook County Classification Ordinance.

In support of the assessment the board of review submitted unadjusted sales information on four sales comparables that were located within a ¼ mile radius of the subject. The improvements ranged: in age from 96 to 133 years; in size from 3,096 to 4,215 square feet of living area. They sold from March 2019 to December 2020 for prices ranging from \$115.60 to \$200.56 per square foot of building area, including land.

Based on this evidence the board of review requested confirmation of the subject's assessment.

Appellant Rosemary Williams, her sister Katina Smith (co-owner of the subject property), Michael Grimes and board of review representative Shaina Howell appeared before the Property Tax Appeal Board on August 3, 2023, for a hearing via the WebEx virtual video conferencing platform.

Ms. Smith presented Michael Grimes as her first witness. Ms. Smith indicated that Mr. Grimes was the author of the appraisal that was submitted into evidence.

During questioning by Ms. Smith, Mr. Grimes testified that he inspected the subject property on June 24<sup>th</sup>, 2022, and was able ascertain a market value for the subject property for the effect date of January 1, 2021, based partly on that inspection. The witness testified that he inspected the

entire building except for the basement apartment. Mr. Grimes confirmed the description of the subject as is listed in the submitted appraisal. Mr. Grimes testified that the first and second floor consisted of 3,416 square foot of living space. The witness testified that in assessing the value of the building he had difficulty finding comparable sales that were in the same condition as the subject. He testified that he used properties purchased in 2020 and that knowing that they were totally renovated after the purchase he assumed that they were in the same condition as the subject prior to the renovations. He then “backed off the value or the cost of doing those renovations” to determine the market value of those comparables. The comparables, with the adjusted market value, were then compared to the subject. Mr. Grimes testified that based on his inspection and analysis of the comparables as compared to the subject he determined that the market value of the subject to be \$240,000 in January 2021.

During questioning by Ms. Smith, Ms. Williams testified that renovations of the subject property began in 2018. She testified that COVID and contractors going beyond “the scope” of the requested work caused delays in the renovation of the subject. She testified to lengthy renovation issues that including violations of Oak Park village building codes by additional hired contractors. Those building code violations ultimately lead to a revocation of all building permits by the Village of Oak Park and all renovation work stopped. She further testified that the two upper floors have had no plumbing or electrical since 2018 and are completely uninhabitable. She testified that the village of Oak Park has not issued an occupancy permit for the subject. Ultimately, she testified that the first and second floor of the subject was rendered uninhabitable by on-going issues with contractors, revocation of building permits by the Village of Oak Park and the depletion of the renovation budget.

During ALJ questioning Mr. Grimes testified that one of his comparables was a foreclosure sale but testified that he adjusted all his calculations. With respect to the foreclosure comparable, adjustments were made to account for the compulsory nature of the sale of that comparable as well as an adjustment based on its location. He testified that the comparable sale price was on the low end of the comparables used in his appraisal.

The appellant moved to have documentation from the village of Oak Park regarding the issuance and revocation of building permits and reports on failed building inspections for the subject. The BOR representative objected to the admission of those exhibits. The ALJ reserved a ruling on the BOR’s object and gave the appellant time to submit the documents.

During cross examination by Ms. Howell, Mr. Grimes testified that the adjustments or calculations made to the submitted sales comparables were not documented in the appraisal but were in his “file memorandum”. He testified that based on the condition of the property, which he described as a “shell”, he based his opinion just on cost. He indicated that he used a per square foot cost amount to determine the value of the property. He testified that there were no individual adjustments to characteristics of those comparables to compare with the subject other than square footage and location.

Mr. Grimes testified that he chose the three comparables to bracket “whatever value he might come up with”. He testified that comparable one was in an inferior location but in similar condition as the subject because it needed a total renovation. Comparables two and three were in similar location as the subject, but their condition was far superior to the subject. After selecting

the best comparable sales, he was able to arrive at market value for the subject after considering the condition of the subject and making all appropriate adjustments. He further testified that he inspected the subject in 2022 and did not have any information as to the condition of the building in prior years.

During Cross examination Ms. Smith testified as to the square footage of the property as well as to a rough estimate of the cost of renovation.

The BOR rested on its submitted evidence.

### **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.

As a preliminary matter, the board sustains the BOR's objection to the submission of additional documentation by the appellant(s). The Board finds that the documentation from the Village of Oak Park regarding the issuance and revocation of building permits and reports on failed building inspections for the subject the appellant requested to submit during the hearing is inadmissible under 86 Ill.Admin.Code §1910.67(k)(1), which states generally that documentary evidence must be submitted to the Board prior to the hearing. The Board finds that this evidence cannot be considered by the Board under this rule. The board, however, found the witnesses testimony as to the condition of the subject in the lien year to be credible.

The Board finds the best evidence of market value to be the *appraisal submitted by the appellant*. That appraiser testified that he relied largely upon three recent sales of comparable properties. The appraiser adjusted the sales prices of the comparable properties, where appropriate, to account for differences in the condition of the comparables and the subject. In contrast, the board of review relies on raw data consisting of sales prices of suggested comparable properties without adjustments to account for differences between those comparables and the subject. Based on the Board's finding that the best evidence of size is found in the appraisal provided by the appellant, the board finds that subject's assessment reflects a market value of \$434, 660 or \$112,72 per square foot of living area, including land, which is above the appraised value. Accordingly, the Board finds the subject property had a market value of \$240,000 as of the assessment date at issue. Since market value has been established 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



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:

December 19, 2023



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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