



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

APPELLANT: Annette Martinez
DOCKET NO.: 21-29065.001-R-1
PARCEL NO.: 32-10-203-011-0000

The parties of record before the Property Tax Appeal Board are Annette Martinez, the appellant(s), by attorney 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 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: \$2,103
IMPR.: \$2,397
TOTAL: \$4,500

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant¹ 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 is improved with a 73-year-old, one-story, residential building of masonry exterior construction. It contains 1,589 square feet of gross building area. Features of the subject include an unfinished crawl space, one fireplace, and a two and one-half-car garage. The property is situated on 20,128 square feet of land in Bloom Township, Cook County. The subject is classified as a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The board of review's Notes on Appeal disclose the appellant as Beatrice Garcia. The Board and all parties acknowledged at hearing that this was an error. The parties further acknowledged the correct property owner is Annette Martinez. The board of review's evidence is formally correct in all other respects, including the Property Index Number and common street address.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a settlement statement that disclosed the subject property was sold by MN Group, LLC, and purchased by the appellant, Annette Martinez, on May 14, 2020, for \$45,000. The subject's sale price reflects a market value of \$28.32 per square foot of gross building area including land. The appellant also submitted a Warranty Deed that conveyed title to the appellant; a MyDec PTAX-203 Real Estate Transfer Declarations for Illinois and for Cook County; a Multiple Listing Service listing report. The appellant provided information in Section IV–Recent Sale Data of the Residential Appeal that the subject was not transferred between related parties; was advertised and sold by a realtor; was not sold due to a foreclosure. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price when applying the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. The appellant broke-down this amount to a land assessment of \$4,500; improvement assessment of \$0; a total assessment of \$4,500.

The board of review final 2021 total assessment for the subject was \$12,918. The subject's assessment reflects a market value of \$129,180, or \$81.30 per square foot when applying the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted information on three suggested comparable sales.

The appellant, through her attorney at hearing, distinguished the board of review's suggested comparable properties. The appellant asserted comparable #1 was a bulk sale of six properties purchased through bankruptcy. The appellant did not submit evidence in support of this assertion. The appellant argued the sale of comparable #2 was in superior condition to the subject property and was in an all-cash transaction. The appellant argued this was evidence the sale was not at arm's-length. The appellant did not submit evidence in support of this assertion. Conveyance of title of comparable #3 was, as argued by the appellant, via a quit-claim deed to a land trust. The appellant argued this conveyance was not a sale for the purpose of comparisons to the subject property.

The board of review presented its case-in-chief at hearing. It noted the settlement statement submitted by the appellant disclosed the transaction was all-cash and in an as-is condition, and disclosed a line-item that 1st installment property taxes included a penalty. The board of review argued this was due to late payment. The board of review highlighted the appellant's assessment reduction request was for a zero value for the improvement, specifically the subject's house. The board of review acknowledged the evidence did not reveal the sale was compulsory, but that it was under duress and not at arm's-length.

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 salient issue before the Board is whether the subject's sale was at arm's-length for fair cash value. Facts such that the sale was all-cash and that property taxes apparently were paid late are not sufficient to establish the sale was due to a foreclosure or other coercion. The late payment of taxes could have been due to other reasons. It is not for the Board to speculate that it must have been for one or another reason. That the sale was all-cash also does not necessarily establish a compulsory or, in the words of the board of review, sale under duress.

The appellant's efforts to undermine the credibility of the board of review's suggested comparable sales was of no effect. It consisted merely of statements offered by the appellant's counsel without evidence. The Board gives these arguments no weight. Indeed, if the board of review's comparable #2 fails because it was for all-cash, so must the appellant's recent purchase of the subject property.

The Board gives greater weight to the evidence submitted by the appellant in favor of the recent sale. The Board finds the best evidence of market value to be the purchase of the subject property in May 2020 for \$45,000. The appellant provided information in Section IV-Recent Sale Data of the appeal that the parties to the transaction were not related; that the property was sold using a Realtor; that the property had been advertised on the open market. In further support of the transaction, the appellant submitted a copy of the settlement statement and the PTAX-203 Illinois and Cook County Real Estate Transfer Declarations. There was no evidence the subject was sold short or from a foreclosure. The Board finds the purchase price was below the market value reflected by the assessment. Based on this record, the Board finds the subject property had a market value of \$45,000 as of January 1, 2021, and that a reduction in the subject's assessment is justified. Since market value has been determined, the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance shall apply.

Allocation of the land and improvement assessments creates a problem. There is no doubt the subject property contained a one-story residential improvement. There was no evidence it was in such state of disrepair as to have no market value. Yet, the appellant would have the Board accept that it should be assessed at zero. The appellant did not supply information to guide the Board on this issue. However, the board of review did submit three suggested comparable properties, each of which had some similar characteristics with the subject property. Each of these comparable properties had land assessments in the low \$6,000 plus range. Likewise, the improvement assessments from these properties were in the upper \$6,000 range. The Board fashions an assessment ratio of land-to-improvement approximately the same for the total assessment reduction to \$4,500.

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: _____

June 17, 2025



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

Annette Martinez, 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