



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

APPELLANT: Beatrice Garcia
DOCKET NO.: 21-29111.001-R-1
PARCEL NO.: 32-33-202-034-0000

The parties of record before the Property Tax Appeal Board are Beatrice Garcia, 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: \$3,760
IMPR.: \$5,640
TOTAL: \$9,400

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 65-year-old, one-story, building of frame and masonry exterior construction. It contains 2,748 square feet of gross building area. Features of the subject include a partial unfinished basement, one fireplace, and a two and one-half-car garage. The property is situated on 96,703 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 Annette Martinez. The Board and all parties acknowledged at hearing that this was an error. The parties further acknowledged the correct property owner is Beatrice Garcia. 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 one page of a settlement statement that disclosed the subject property was purchased on February 12, 2021, for \$94,000. The subject's sale price reflects a market value of \$34.21 per square foot of gross building area including land. The bottom of the one-page settlement statement disclosed the notation "Page 1 of 2." There is no page two in evidence. There is no line item for financing by the purchaser. There are debit line items of two separate installment payments of property taxes. The appellant submitted a Multiple Listing Service (MLS) listing sheet that disclosed the subject property was offered and sold in an estate sale in an as-is condition. The appellant submitted a PTAX-203 Illinois and Cook County Real Estate Transfer Declaration, and a Warranty Deed. 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 board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,802. The subject's assessment reflects a market value of \$238,020, or \$86.62 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 distinguished the board of review's suggested comparable properties at hearing. The appellant asserted comparable #1 was not listed on the MLS. The appellant did not submit evidence in support of this assertion. The appellant argued the sale of comparable #2 was in a different Property Index Number (PIN) sub-area than the subject. The appellant argued this suggested it was not in a proximate location with the subject property. The appellant did not submit evidence in support of this assertion. The board of review responded that the PIN is not evidence of how close or far away the subject may be from the suggested comparable property. The appellant reiterated the argument that the subject was sold in an arm's-length transaction.

The board of review presented its case-in-chief at hearing. It noted the settlement statement submitted by the appellant was not complete as it missed page-two. It disclosed the transaction was all-cash and in an as-is condition, and disclosed line-items that two installments of property taxes were debited from the sale proceeds. The board of review argued that a *lis pendens* had been recorded against the subject property prior to the sale. The board of review did not submit this into evidence, and the record does not contain it.

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 argued the appellant's suggested total assessment would be less than the assessed value for the land alone.

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 February 2021 for \$94,000. 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 with the Multiple Listing Service. In further support of the transaction, the appellant submitted a copy of page one of two of the settlement statement; the PTAX-203 Illinois Real Estate Transfer Declaration; the MLS listing; a Warranty Deed.

The Board is troubled by the failure of the appellant to submit all pages of the settlement statement. It is, perhaps, the most relevant document in the appeal. Nevertheless, there is no evidence the subject property was sold short or from a foreclosure. The fact the subject was sold in an estate sale, for cash, and in an as-is condition does not prove it was a distressed property. There may be alternative explanations, and the Board does not engage in speculation. The board of review alluded to the existence of a *lis pendens* recorded but did not offer it into evidence. Had that document been in evidence, it and the failure of the appellant to submit the entire settlement statement may have had an impact on the findings of fact. However, the Board deals with evidence and law, not, as mentioned, speculation.

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 \$94,000 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. The ratio of land-to-improvement is approximately 2-to-3. The Board fashions an assessment ratio of land-to-improvement approximately the same for the total assessment reduction to \$9,400.

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

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