



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

APPELLANT: Eric Breese
DOCKET NO.: 21-34842.001-R-1
PARCEL NO.: 14-20-314-023-0000

The parties of record before the Property Tax Appeal Board are Eric Breese, the appellant, by attorney Joanne Elliott, of Elliott & Associates Attorneys, PLLC in Des Plaines; 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: \$56,250
IMPR.: \$43,750
TOTAL: \$100,000

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 2-story 2-unit building of masonry exterior construction with 3,164 square feet of building area. The building is approximately 112 years old. Features include a basement with finished area,¹ central air conditioning for one unit, and a 2-car garage. The property has a 3,750 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-11 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 an appraisal estimating the subject property had a market value of

¹ The parties differ regarding the subject's basement finish. The Board finds the best evidence of basement finish is found in the appellant's appraisal which contains photographs of finished basement area.

\$1,000,000 as of January 1, 2021. The appraisal was prepared by Chris Posey, a certified residential real estate appraiser, to estimate market value as of January 1, 2021.

Under the sales comparison approach, the appraiser selected four comparable sales located from 0.08 to 0.65 of a mile from the subject. The parcels range in size from 3,100 to 3,720 square feet of land area and are improved with 2-story 2-unit buildings ranging in size from 2,412 to 2,848 square feet of building area. The buildings range in age from 96 to 112 years old. Each building has a basement with finished area and a 2-car garage. Three buildings have central air conditioning for both units. The buildings are reported to be in below average or above average condition compared to the subject's average condition. The comparables sold from July 2019 to December 2020 for prices ranging from \$800,000 to \$1,115,000 or from \$280.90 to \$454.73 per square foot of building area, including land. The appraiser adjusted the comparables for differences from the subject, including adjustments of +/- \$80,000 for condition, to arrive at adjusted prices from \$917,900 to \$1,057,800. The appraiser concluded a value for the subject of \$1,000,000 rounded, under the sales comparison approach.

The appellant submitted a brief contending a three-year median level of assessment for class 2 properties in Cook County should be applied instead of the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance. The appellant submitted a press release regarding a 2020 final three-year median level of assessment conclusion.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$83,100, based on the \$1,000,000 appraised value conclusion multiplied by the 2020 final three-year median level of assessment conclusion for class 2 property of 8.31%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$100,000. The subject's assessment reflects a market value of \$1,000,000 or \$316.06 per square foot of building area, including land, 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 located 0.25 of a mile from the subject or on the same tax block as the subject. The parcels range in size from 3,125 to 3,500 square feet of land area and are improved with 2-story, class 2-11 buildings ranging in size from 2,326 to 3,902 square feet of building area. The buildings are 113 or 133 years old and are reported to be in average condition like the subject. Each comparable has a basement, two of which have finished area. One building has central air conditioning and two comparables have a 2-car garage. The comparables sold from February to August 2021 for prices ranging from \$697,000 to \$1,650,000 or from \$272.68 to \$673.47 per square foot of building area, including land. Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant requested the subject's assessment be reduced to \$88,300, based on the \$1,000,000 appraised value conclusion multiplied by the 2021 final three-year median level of assessment conclusion for class 2 property of 8.83%. The appellant submitted a press release regarding a 2021 final three-year median level of assessment conclusion. The appellant

argued the board of review's comparables are unadjusted raw sales and differ from the subject in building size.

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.Adm.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.Adm.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.

As an initial matter, the Board gives no weight to the appellant's median level of assessment argument as the appellant submitted insufficient evidence to support the application of this level of assessment.

The appellant presented an appraisal and the board of review presented four comparable sales for the Board's consideration. The Board gives less weight to the appraised value conclusion as two of the four comparable sales sold in 2019, less proximate in time to the assessment date, when more recent sales were available as presented by the board of review. Moreover, the appraiser selected comparables that all differ from the subject in reported condition requiring large adjustments to these comparables. For these reasons, the Board finds the appraisal states a less credible and/or reliable opinion of value and the Board will consider the raw sales data presented in the appraisal and by the board of review.

The record contains a total of eight comparable sales for the Board's consideration. The Board gives less weight to appraisal sales #1 and #2, which sold less proximate in time to the assessment date than the other comparables in this record. The Board gives less weight to the board of review's comparables #1 and #2, which sold for considerably more or less than the other sales in this record, indicating these sales may be outliers.

The Board finds the best evidence of market value to be appraisal sales #3 and #4 and the board of review's comparables #3 and #4, which sold proximate in time to the assessment date and are similar to the subject in location and site size but have varying degrees of similarity to the subject in building size, age, reported condition, and other features, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables sold for prices ranging from \$800,000 to \$1,064,000 or from \$272.68 to \$349.79 per square foot of building area, including land. The subject's assessment reflects a market value of \$1,000,000 or \$316.06 per square foot of building area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds 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: _____

January 21, 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

Eric Breese, by attorney:
Joanne Elliott
Elliott & Associates Attorneys, PLLC
1430 Lee Street
Des Plaines, IL 60018

COUNTY

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