



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

APPELLANT: Michael Boeke
DOCKET NO.: 21-46221.001-R-1
PARCEL NO.: 17-21-213-053-0000

The parties of record before the Property Tax Appeal Board are Michael Boeke, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$51,380
IMPR.: \$86,620
TOTAL: \$138,000

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 two-story dwelling of masonry exterior construction with 3,978 square feet of living area. The dwelling was constructed in 1993 is approximately 28 years old. Features of the dwelling include a partial basement with finished area, central air conditioning, 3½ bathroom, two fireplaces and a two-car garage. The property has a 3,670 square foot site and is located in Chicago, South Chicago Township, Cook County. The subject is classified as a class 2-08 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 submitted evidence disclosing the subject property was purchased on February 14, 2022 for a price of \$1,380,000. The appellant's counsel reported that the subject property was purchased from the owner of record, the parties to the transaction were not related and the property was advertised using a realtor. The appellant submitted a copy of the Multiple Listing Service (MLS)

listing sheet depicting the property had been listed for 200 days. The MLS depicted that the subject property had been originally listed on June 1, 2021 for \$1,599,000 and the list price had been reduced to \$1,425,000. The property went under contract on December 17, 2021 and subsequently sold on February 14, 2022 for \$1,380,000 or \$346.91 per square foot of living area, including land. A copy of the Settlement Statement reflects the purchase price and sale date, and disclosed the sellers were Thomas L. and Elizabeth McLeary and that commissions were paid to two realty agencies. The appellant provided a copy of an unsigned PTAX-203 Illinois Real Estate Transfer Declaration that did not contain recording stamps, which revealed the subject had been advertised for sale. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$156,880. The subject's assessment reflects a market value of \$1,568,800 or \$394.37 per square foot of gross 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 properties that have the same assessment neighborhood code as the subject and are located within the same block or ¼ of a mile from the subject property, three of which are also located along the same street. The comparables have sites that range in size from 2,651 to 3,726 square feet of land area. The comparables are either class 2-08, class-2-78 or class 2-95 properties that are improved with two-story or three-story dwellings of masonry exterior construction ranging in size from 2,550 to 3,978 square feet of living area. The dwellings are 26 or 31 years old. One comparable has a concrete slab foundation and three comparables each have a partial basement with finished area. Each comparable has central air conditioning, 3 or 3½ bathrooms, one or two fireplaces and a two-car garage. The properties sold from July 2019 to February 2021 for prices ranging from \$1,150,000 to \$1,600,000 or from \$377.07 to \$558.27 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 2022 for a price of \$1,380,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant disclosed the parties to the transaction were not related and the property had been advertised on the open market since June 2021 and had been under contract since December 2021. In further support of the transaction, the appellant submitted copies of the settlement statement as well as the MLS listing sheet associated with the transaction, reiterating the sale date and purchase price. The Board finds the

board of review did not present any substantive evidence to challenge the arm's length nature of the subject's sale transaction. In addition, the assessing officials did not refute the contention that the purchase price was reflective of market value. The Board finds the purchase price of \$1,380,000 is below the market value of \$1,568,800 as reflected by the assessment. Furthermore, the Board gave less weight to board of review comparables #2 and #3, which have sale dates that occurred 16 and 17 months prior to the lien date at issue and to board of review comparables #3 and #4, which differ from the subject in property classification, dwelling size and/or foundation type. The Board finds the board of review's remaining comparable sale does not overcome the weight given to the subject's arm's-length sale transaction. Based on this record the Board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment is justified commensurate with the appellant's request.

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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