FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Fernando Estrada
DOCKET NO.: 21-47122.001-R-1 through 21-47122.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Fernando Estrada, the appellant(s), by attorney Nora Devine, of The Devine Law Group, LLC in Chicago; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
21-47122.001-R-1	18-07-102-015-0000	17,390	36,530	$53,920
21-47122.002-R-1	18-07-102-014-0000	3,580	0	$3,580

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 an approximately 66-year-old, one-story dwelling of masonry construction with 3,109 square feet of living area. The property has a 14,800 square foot site located in Hinsdale, Lyons Township, Cook County. The property is a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance. The record disclosed that the subject was owner-occupied during the lien year.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. The subject property has an improvement assessment of $53,530 or $17.22 per square foot of living area. In support of its contention of the correct assessment, the appellant submitted information on four suggested equity comparable properties with varying degrees of similarities to the subject.

In support of the overvaluation argument, the appellant submitted an appraisal estimating the subject property had a market value of $600,000 as of September 21, 2021. The appraisal was prepared by Nick Andrews, a licensed certified residential real estate appraiser. The appraiser utilized the sales comparison approach in his evaluation. For the sales comparison approach, the appraiser used sales of four comparable properties in Western Springs and Hinsdale, IL that took place between April 2021 and September 2021 for amounts ranging from $590,000 to $625,000, or from $187.26 to $535.10 per square foot of living area, land included in the sales prices. The appraiser adjusted the sales prices to account for differences between the subject and the comparables. Photographs of the subject dwelling's exterior and interior were included with the appraisal.

Additionally, in support of the overvaluation, argument the appellant submitted evidence disclosing the subject property was sold on November 6, 2021 for a price of $575,000. The appellant submitted into evidence copies of a settlement statement, Multiple Listing Service (MLS), and warranty deed. Section IV Recent Sale Data of the appeal form confirmed: the sale date and price; the transfer was not between family or related corporations and was sold by a realtor; the subject was advertised on the MLS listing for 183 days before the sale; and the subject was not sold due to a foreclosure action. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect 10% of the purchase price.

In support of the lack of equity argument, the appellant submitted information on four suggested equity comparable properties with varying degrees of similarities to the subject. These comparables are described as masonry or frame and masonry construction dwellings. They range in age from 58 to 97 years; in size from 2,200 to 2,837 square feet of living area; and an improvement assessment of $14.09 to $15.96 per square foot of living area. The properties have 1.5- or two-car garages. The properties are located within a .97-mile radius of the subject property. The appellant requested the subject's total assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of $70,920. In support of its contention of the correct assessment, the board of review submitted information on three suggested equity comparable properties with varying degrees of similarities to the subject. These comparables are described as frame or frame and masonry construction, 1.5-story dwellings. They range in age from 35 to 60 years; in size from 2,843 to 3,300 square feet of living area; and an improvement assessment ranging from $19.58 to $28.38 per square foot of living area. These properties have partial or full basements and two- to three-car garages. The properties are located in the same subarea as the subject property. The board of review requested that the assessment be confirmed.

The subject's assessment reflects a market value of $709,200, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. In support of its contention of the correct assessment, the board of review submitted three comparable sales.

In rebuttal, the appellant submitted the Multiple Listing Service (MLS) data sheet for three of the board of review's suggested comparables and pointed out characteristic differences to the subject. The appellant reaffirmed its position that the 2021 assessed value for the subject property is excessive and that the total assessment should be reduced.

The matter proceeded to hearing on November 20, 2025. At hearing, the appellant reasserted its contention that the assessed value is excessive and should be reduced. The board of review analyst referred to the Board's 2020 decision, which lowered the total assessment of the subject property based upon a stipulation between the parties. The board of review analyst testified that the assessment of the subject property as established by the decision of the Board for the 2020 tax year should be rolled over to the 2021 tax year. In rebuttal closing arguments, the appellant argues that the application of the Board's Standing Order No.3[1] regarding a "rollover" from the 2020 decision is not appropriate here, as the legislative intent for this provision was to create a "shield for the taxpayer, and not a sword for the government." The appellant reemphasized that the subject was sold to a new owner and the new owner should not be penalized and held to the assessment agreed to by the former owner.

Conclusion of Law

As to the board of review's assertion that the assessment of the subject property as established by the Property Tax Appeal Board for the 2020 tax year should be carried forward to the 2021 tax year, when a contention of law is raised the burden of proof is a preponderance of the evidence. (35 ILCS 200/16-185) and (See 5 ILCS 100/10-15). 4 of 9 Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

> If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. 35 ILCS 200/16-185.

The board of review contends the assessment of the subject property as established by the decision of the Property Tax Appeal Board for the 2020 tax year should be carried forward to the 2021 tax year pursuant to section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). The appellant disclosed that the subject property is an owner-occupied residence, however, it was sold to a new owner and the "rollover" should not apply. The Board finds that there was an arm's-length transaction as the subject property was sold to a new owner on November 6, 2021 after the 2020 tax assessment year and the 2020 tax year should not be carried forward to the 2021 tax year.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is a basis of the appeal, the taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d

[1] Standing Order No 3.docx Effective date 2 October 2023

Dist. 2000). 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's task in this case is to determine the correct assessment of the subject property. *See* 35 ILCS 200/16-180. Under Illinois law, real property must be valued at its fair cash value, meaning the price that would be paid for it at a fair, voluntary sale where the buyer and seller are both ready, willing, and able to buy and sell, but neither is compelled to do so. Bd of Educ of Meridian Community School Dist. No. 223 v. Ill. Property Tax Appeal Bd., 2011 IL App (2d) 100068, ¶ 36. A contemporaneous sale of the subject property between parties dealing at arms-length is practically conclusive on the issue of whether an assessment reflected the fair cash market value of the property. Gateway-Walden LLC v. Pappas, 2018 IL App (1st) 162714, ¶ 33. The Board finds the appellant met this burden of proof and a reduction in the subject's assessment on this basis is warranted.

The appellant presented evidence that the subject property was sold on November 6, 2021, for a price of $575,000. The appellant filled out Section IV - Recent Sale Data of the PTAB residential appeal form and disclosed that the parties to the transaction were not related, the property was sold by a realtor, and the property had been advertised through Multiple Listing Service (MLS) for 183 days. The appellant also disclosed that the sale was not due to a foreclosure action. The appellant submitted a copy of the settlement statement, MLS listing, and warranty deed from the transaction. This evidence indicates that this sale was an arm's-length transaction and confirmed the sale price of the subject property in November of 2021.

The Board finds that the best evidence of the subject's market value is the November 6, 2021 sale of the subject for $575,000. Because the subject's assessment reflects a fair market value of $709,200 which is greater than the $575,000 sale price, a reduction in the subject's assessment commensurate with that sale price is warranted. Since market value has been determined, the Board finds that the subject is now fairly and equitably assessed. See Central Nursing Realty, LLC v. Illinois Property Tax Appeal Board, 2020 IL App (1st) 180994, ¶¶ 34-36.

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:

C E R T I F I C A T I O N

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: November 17, 2026

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 9-215 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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