



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

APPELLANT: Charles Mudd
DOCKET NO.: 21-50258.001-R-1
PARCEL NO.: 13-24-311-025-0000

The parties of record before the Property Tax Appeal Board are Charles Mudd, the appellant, by attorney Ciarra J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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:

LAND: \$15,878
IMPR.: \$43,372
TOTAL: \$59,250

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 1-story dwelling of masonry construction with appellant reporting that the dwelling contains 1,168 square feet of living area and is approximately 91 years old.¹ Features of the home include two full bathrooms and a full basement finished with a recreation room. The property has a 3,175 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-03 property² under the Cook County Real Property Assessment Classification Ordinance.

¹ The parties disagree on the subject's design, age, dwelling size, foundation type, and property classification. The Board finds best description of the subject is found in Section III of the appeal form and "Real Info" sheet which report a 1-story design. The Board also finds the best description of the subject is the information submitted by the appellant as the disclosed owner-occupier of the property.

² Although the board of review depicts the subject property as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance which is defined as a two or more-story residence, the appellant's

The appellant's appeal is based in part on overvaluation. In support of this argument, the appellant completed Section IV - Recent Sale Data of the appeal petition disclosing the subject property was sold in March 2022 for a price of \$592,500 by Charles Mudd, the appellant herein. The appellant disclosed the property was sold by real estate agent, Michael Saladino, and the property was advertised for sale through the Multiple Listing Service (MLS) for two months. Furthermore, the property was not sold due to a foreclosure action, and no contract for deed was utilized in the transaction. To document the sale, the appellant submitted a copy of the Warranty Deed and a property search printout from "Real Info" confirming the sale date, sale amount, and the parties to the transaction. The board of review did not present any evidence or argument challenging the arm's-length nature of the transaction or to refute any of the foregoing assertions.

The appellant also contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on ten equity comparables³ located within the same assessment neighborhood code as the subject property. The comparables consist of class 2-03 and class 2-05 dwellings of frame or masonry construction ranging in size from 963 to 1,248 square feet of living area and ranging in age from 62 to 129 years old. Each comparable has a basement, nine of which are each finished with an apartment or a recreation room. Six comparables have a 1-car, a 1.5-car, or a 2-car garage. The comparables have improvement assessments that range from \$14,375 to \$19,500 or from \$12.93 to \$18.61 per square foot of living area. The appellant also submitted a brief along with the property information sheets from the Cook County Assessor's database for each comparable property. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$31,809 and a reduction in the total assessment to \$47,687.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$80,519. The subject's assessment reflects a market value of \$805,190 or \$689.38 per square foot of living area, including land, when applying the 10% level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance. The subject property has an improvement assessment of \$64,641 or \$63.87 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three comparable properties located within the same assessment neighborhood code as the subject property. The comparables consist of class 2-03 or 2-05 dwellings of frame or masonry construction ranging in size from 1,089 to 1,962 square feet of living area and ranging in age from 94 to 102 years old. Each comparable features a full unfinished basement and a 2-car garage. Two comparables have central air conditioning, and one dwelling has a fireplace. The comparables sold from November 2020 to May 2023 for prices ranging from \$785,000 to \$989,000 or from \$504.08 to \$720.84 per square foot of living area, land included. The comparables have improvement assessments that range from \$32,568 to \$66,400 or from \$27.14 to \$37.43 per square foot of living area. Based on this evidence, the board of review argued in its Notes on Appeal that

description of class 2-03 property is more credible which is defined as a one-story residence, any age, containing from 1,000 to 1,800 square feet of living area.

³ The appellant submitted comparable information on four separate grids. The Property Tax Appeal Board has re-numbered the comparables on last three grids for clarity.

the average price per square foot of living area of the comparables is higher than the subject's improvement assessment.

Conclusion of Law

The appellant contends in part that 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 March 2022 for a price of \$592,500. The appellant provided evidence demonstrating the sale had the elements of an arm's-length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing that the property was sold through a realtor; the property was advertised for sale through the Multiple Listing Service (MLS) for two months; it was not sold due to a foreclosure action; and no contract for deed was utilized in the transaction. To document the sale, the appellant submitted a copy of the executed Warranty Deed and a property search printout by "Real Info" confirming the sale date, sale amount, and the parties to the transaction. The board of review did not contest any of the foregoing assertions or present any evidence to challenge the arm's-length nature of the transaction.

The Board further finds that although the board of review presented three sales in support of the market value argument, board of review comparable sale #1 is significantly larger in dwelling size relative to the subject, and each comparable has a 2-car garage, dissimilar to the subject which lacks a garage amenity. In addition, the sales presented by the board of review do not overcome the arm's-length sale of the subject property. The Board finds the purchase price of \$592,500 is below the market value of \$805,190 as reflected by the subject's assessment and, therefore, the Board finds a reduction in the subject's assessment reflecting the subject's purchase price is justified on the grounds of overvaluation.

The taxpayer also contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e).

The parties submitted a total of thirteen equity comparables with varying degrees of similarity to the subject. After considering the assessment reduction granted to the subject property based on market value consideration, the Board finds the subject property is equitably assessed. Therefore, no further reduction in the subject's assessment is warranted based on the principles of uniformity.

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: _____

February 18, 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

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