



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

APPELLANT: Jerry Warren
DOCKET NO.: 21-51078.001-R-1
PARCEL NO.: 13-27-305-019-0000

The parties of record before the Property Tax Appeal Board are Jerry Warren, the appellant, by Ciarra J. Schmidt, attorney-at-law 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 **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: \$8,305
IMPR.: \$44,697
TOTAL: \$53,002

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 three-story multi-family building of masonry exterior construction with 4,343 square feet of building area. The building is approximately 4 years old. Features of the property include a crawl space foundation, central air conditioning, and six bathrooms. The property has a 3,321 square foot site located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-11 apartment building under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends both overvaluation and inequity regarding the improvement assessment as the bases of the appeal. In support of the overvaluation argument the appellant contends the subject property recently sold. The appellant partially completed Section IV – Recent Sale Data of the appeal indicating the property sold on October 21, 2020, for a price of \$475,000. The appellant identified the seller as Arkuda II, LLC and indicated the parties were not related. The

appellant also identified the realty firm, apparently associated with the transaction, as 33 Realty. The appellant provided no other information or documentation associated with the purported sale of the subject property.

In support of the assessment equity argument the appellant submitted information on five equity comparables composed of class 2-11 properties improved with two-story or three-story buildings of masonry or frame and masonry exterior construction that range in size from 3,948 to 4,462 square feet of building area. The buildings range in age from 95 to 101 years old. Each comparable has a full basement with a recreation room, and 3, 4, 4½ or 6 bathrooms. Three comparables have either a 2-car or a 4-car garage.¹ The comparables have the same assessment neighborhood code as the subject property. Their improvement assessments range from \$24,193 to \$30,500 or from \$6.05 to \$7.02 per square foot of building area.

Based on this evidence the appellant requested the subject's total assessment be reduced to \$38,228 and the improvement assessment be reduced to \$29,923.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,002. The subject's total assessment reflects a market value of \$530,020 or \$122.04 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%. The subject property has an improvement assessment of \$44,697 or \$10.29 per square foot of building area.

In support of its contention of the correct assessment the board of review submitted information on four comparables composed of class 2-11 properties improved with two-story buildings of masonry construction that range in size from 2,084 to 3,340 square feet of building area. The buildings range in age from 59 to 98 years old. Each comparable has a full basement with one having finished area, and 2 or 3 bathrooms. Two comparables have central air conditioning and three comparables have a 2-car or a 2.5-car garage. The comparables have the same neighborhood code as the subject property and are located in the same block, "subarea," or ¼ of a mile from the subject property. The comparables have improvement assessments ranging from \$22,600 to \$29,726 or from \$8.90 to \$12.45 per square foot of building area.

The board of review also reported the subject had an October 2020 sales price of \$475,000 or \$109.37 per square foot of building area. Board of review comparable #1, improved with a 94-year-old two-story building with 2,138 square feet of building area located on a 3,810 square foot site, sold in March 2021 for a price of \$689,965 or \$322.72 per square foot of building area, including land.

The board of review contends the price per square foot for the comparables average is \$108.00 and when adjusted and applied to the subject's building square footage would result in a potential purchase price of \$552,094, which exceeds the market value of the subject property as reflected in the assessment. It also argued the building assessed value for the comparables

¹ The appellant submitted copies of the Cook County Assessor's Office property characteristic sheets for the comparables from which descriptive information was verified or obtained.

average of \$10.80 per square foot is higher than the subject's building assessment on a per square foot basis.

Conclusion of Law

The appellant contends in part 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The appellant's overvaluation argument is based on a purported sale of the subject property in October 2021 for a price of \$475,000 or \$109.37 per square foot of building area, including land. The Board finds, however, the appellant did not provide sufficient documentation to establish the sale of the subject property was an arm's length transaction. The appellant did not submit a copy of the sales contract, settlement statement, the transfer declaration, or the listing of the property to corroborate the purchase price, and to verify the sale had the elements of an arm's length transaction. The board of review submission did include a sale of a building that is smaller and older than the subject property that sold in March 2021 for a price of \$689,965 or \$322.72 per square foot of building area, including land, which calls into question whether the subject's purchase price is indicative of fair cash value. Based on this record the Board finds the appellant did not submit sufficient evidence to challenge the subject's assessment based on overvaluation.

The appellant also argued assessment inequity as an alternative 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). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity, and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The record contains information on nine comparables submitted by the parties to support their respective positions. All the comparables are significantly older than the subject building requiring upward adjustments to make them more equivalent to the subject in age. The appellant's comparables are similar to the subject in size containing from 3,948 to 4,462 square feet of building area but are from approximately 91 to 97 years older than the subject property. These properties have improvement assessments ranging from \$24,193 to \$30,500 or from \$6.05 to \$7.02 per square foot of building area. The subject's improvement assessment of \$44,697 or \$10.29 per square foot of building area is above this range but justified considering the subject building's superior age.

The board of review comparables area smaller and older than the subject property containing from 2,138 to 3,340 square feet of building area and are from approximately 52 to 91 years older

than the subject building. These properties would require upward adjustments for both size and age to make them more equivalent to the subject property. The board of review comparables have improvement assessments ranging from \$22,600 to \$29,726 or from \$8.90 to \$12.45 per square foot of building area. The subject's improvement assessment of \$44,697 or \$10.29 per square foot of building area falls above the range of the total improvement assessments but within the range on a per square foot of building area basis as established by the board of review comparables, which is justified when considering the necessary adjustments to these comparables for both age and size.

Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on this basis.

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

AGENCY

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