



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

APPELLANT: JMG Real Estate Group
DOCKET NO.: 22-20833.001-R-1
PARCEL NO.: 16-18-421-010-0000

The parties of record before the Property Tax Appeal Board are JMG Real Estate Group, the appellant, by attorney Stephanie Park, of Park & Longstreet, P.C. in Inverness; 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: \$3,969
IMPR.: \$7,180
TOTAL: \$11,149

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 2022 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 dwelling of stucco exterior construction with 2,392 square feet of living area. The dwelling is approximately 100 years old. Features of the home include a basement, central air conditioning, and a 2-car garage. The property has a 3,780 square foot site and is located in Oak Park, Oak Park Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on a contention of law, overvaluation, and assessment inequity regarding the improvement. In support of the contention of law, the appellant submitted a brief asserting the subject was being remodeled in 2022 and was unfit for habitation in 2022 until a certificate of occupancy was issued on November 22, 2022. The appellant argued newly constructed improvements are not assessed until the occupancy permit is issued or the

improvements are habitable under Section 9-180 of the Property Tax Code (35 ILCS 200/9-180). The appellant submitted a Certificate of Full Occupancy issued on November 22, 2022 in connection with a permit issued on August 25, 2020, results of various inspections, and photographs depicting a home under construction which are dated from April to December 2022.

In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased on April 8, 2020 for a price of \$195,000. In support of the sale, the appellant submitted a copy of a settlement statement describing payment of realtors' commissions and a listing sheet indicating the property was listed for sale on February 5, 2020 for a price of \$199,000, was listed for 7 days in an "as is" offering, and sold for a price of \$195,000. The appellant asserted in the brief that the subject's assessment should be reduced to reflect its purchase price.

In support of the assessment inequity argument, the appellant submitted information on four comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 2-story, class 2-06 homes of stucco exterior construction ranging in size from 2,318 to 2,451 square feet of living area. The dwellings range in age from 97 to 114 years old. Each home has a basement and a 2-car garage. Two homes have central air conditioning and one home has two fireplaces. The comparables have improvement assessments ranging from \$37,387 to \$43,740 or from \$16.13 to \$17.85 per square foot of living area. In the brief, the appellant argued the subject's improvement assessment is not supported by these equity comparables, notwithstanding the subject's condition. The appellant asserted the subject's improvement assessment should be reduced to \$38,581.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$8,213, computed as the land assessment of \$3,969 plus 11% (40 days of 365) of a reduced improvement assessment of \$38,581.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$71,170. The subject's assessment reflects a market value of \$711,700 or \$297.53 per square foot of living area, land included, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The subject has an improvement assessment of \$67,201 or \$28.09 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three comparables located in Oak Park, one of which is within the same assessment neighborhood code as the subject and two of which are identified as within the subject's "subarea." The parcels range in size from 5,625 to 6,500 square feet of land area and are improved with 1-story or 2-story, class 2-02, 2-05, or 2-60 homes of frame, masonry, or stucco exterior construction. The homes range in size from 885 to 2,240 square feet of living area and range in age from 95 to 111 years old. Each home has a basement, two of which have finished area. Two homes have central air conditioning. One comparable has a fireplace and a 2-car garage. The comparables sold from November 2021 to May 2022 for prices ranging from \$355,000 to \$871,000 or from \$158.48 to \$949.15 per square foot of living area, including land. The comparables have improvement assessments ranging from \$21,824 to \$64,144 per square foot of living area.

The board of review reported in the grid analysis that the subject property sold on December 1, 2022 for a price of \$725,000. However, the board of review did not challenge the arm's length nature of the subject's 2020 sale and did not dispute or respond to the appellant's contention of law. The board of review requested the subject's assessment be sustained.

In written rebuttal, the appellant argued the board of review did not dispute the appellant's contention that the subject home was uninhabitable until November 2022. The appellant asserted the board of review's comparables #1 and #2 support a reduction in the subject's improvement assessment, although these comparables differ from the subject in dwelling size. The appellant argued the board of review's comparable #3 supports the appellant's contention that the subject is overvalued for assessment purposes. The appellant pointed out the board of review did not dispute the arm's length nature of the subject's 2020 sale. The appellant asserted the 2022 sale of the subject reflects the subject's condition after the completion of renovations rather than its value as of the assessment date.

Conclusion of Law

The appellant's argument is based in part on a contention of law regarding the interpretation and application of Section 9-180 of the Property Tax Code (35 ILCS 200/9-180). The standard of proof on a contention of law is a preponderance of the evidence. (See 5 ILCS 100/10-15). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment to reflect proration under Section 9-180 is justified.

Section 9-160 of the Property Tax Code provides for the assessment of property in non-general assessment years and provides for a proportionate assessment of property as follows: "The assessment shall also include or exclude, on a proportionate basis in accordance with the provisions of Section 9-180, all new or added buildings, structures or other improvements, the value of which was not included in the valuation of the property for that year, and all improvements which were destroyed or removed." With regard to the assessment of improvements that were destroyed or rendered uninhabitable during a tax year, Section 9-180 provides: "When, during the previous calendar year, any buildings, structures or other improvements on the property were destroyed and rendered uninhabitable or otherwise unfit for occupancy or for customary use by accidental means (excluding destruction resulting from the willful misconduct of the owner of such property), the owner of the property on January 1 shall be entitled, on a proportionate basis, to a diminution of assessed valuation for such period during which the improvements were uninhabitable or unfit for occupancy or for customary use...Computations under this Section shall be on the basis of a year of 365 days."

The appellant contended the subject was uninhabitable from January 1, 2022 to November 22, 2022, which was not refuted by the board of review. The assessment date at issue in this appeal is January 1, 2022. As set forth in the Property Tax Code, the subject's improvement is to be prorated during the time it was rendered uninhabitable. Thus, the Board finds the subject is entitled to a prorated improvement assessment from January 1, 2022 to November 22, 2022 based on a year of 365 days. Based on the foregoing, the Board finds a reduction to 10.68% of

the subject's improvement assessment is justified to reflect the period during which the subject was not rendered uninhabitable.¹

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

The appellant presented evidence of an April 2020 sale of the subject and the board of review presented evidence of a December 2022 sale of the subject and three comparable sales in support of their respective positions before the Board.

The Board finds the best evidence of market value to be the purchase of the subject property in December 2022 for a price of \$725,000. The appellant did not dispute the arm's length nature of this sale in written rebuttal. The Board gave little weight to the subject's April 2020 sale due to the fact the sale did not occur proximate in time to the assessment date at issue. The Board also gave less weight to the board of review's comparables, for which no proximity to the subject was reported. Moreover, the board of review's comparables #1 and #2 differ significantly from the subject in dwelling size and each lack a garage that is a feature of the subject. The Board finds the remaining comparable sale, the board of review's comparable #3, does not overcome the arm's length sale of the subject. The subject's assessment reflects a market value of \$711,700 or \$297.53 per square foot of living area, land included, which is below its 2022 sale price. Based on this evidence, the Board finds no reduction in the subject's assessment for overvaluation is warranted.

The appellant 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). 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of seven equity comparables for the Board's consideration. The Board gives less weight to the board of review's comparables, due to their location in a different neighborhood assessment code or substantial differences from the subject in dwelling size and garage amenity.

The Board finds the best evidence of assessment equity to be the appellant's comparables, which are similar to the subject in dwelling size, age, location, and most features. The comparables have improvement assessments ranging from \$37,387 to \$43,740 or from \$16.13 to \$17.85 per square foot of living area. The subject's improvement assessment of \$67,201 or \$28.09 per

¹ Computed as 39 of 365 days (November 22, 2022 to December 31, 2022) = 10.68%

square foot of living area falls above the range established by the best comparables in this record. However, after considering appropriate adjustments to the best comparables for differences from the subject, including renovations that resulted in a purchase price of \$725,000, a substantial increase from its 2020 sale price of \$195,000 prior to the renovations, the Board finds the subject's improvement assessment is supported. Based on this evidence, 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 improvement assessment is not warranted.

Based on this record, the Board finds a reduction in the subject's assessment is warranted to reflect a 10.68% proration under Section 9-180. The Board finds a reduction in the subject's total assessment to \$11,149, computed as a land assessment of \$3,969 plus a prorated improvement assessment of \$7,180 ($\$67,201 \times 10.68\%$), is 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: _____

September 16, 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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