



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

APPELLANT: Michael Duffy
DOCKET NO.: 22-22568.001-R-1
PARCEL NO.: 07-34-321-032-0000

The parties of record before the Property Tax Appeal Board are Michael Duffy, the appellant, by Dora Cornelio, 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 **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: \$7,980
IMPR.: \$30,520
TOTAL: \$38,500

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 is improved with a two-story dwelling of frame and masonry construction that contains 2,758 square feet of living area. The dwelling is approximately 32 years old. Features of the property include a slab foundation, central air conditioning, one fireplace, 2½ bathrooms, and a 2-car garage. The property has a 9,975 square foot site located in Roselle, Schaumburg Township, Cook County. The subject is classified as a class 2-78 property 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 completed Section IV – Recent Sale Data of the appeal disclosing the subject property was purchased on May 14, 2021, for a price of \$385,000. The appellant identified the sellers as David & Tracy Foss and further indicated the parties to the transaction were not related. The appellant further

indicated the property was sold through a realtor and had been advertised for sale on the internet for 6 months. The appellant further indicated the property was not sold due to a foreclosure action. To document the transaction the appellant submitted a copy of the closing statement dated May 14, 2021, disclosing a purchase price for the subject property of \$385,000. The settlement statement also disclosed commissions totaling \$15,100 being paid to the listing agent and the selling agent.

In support of the assessment equity argument the appellant submitted information on five equity comparables composed of class 2-78 properties improved with two-story dwellings of frame exterior construction that range in size from 2,694 to 2,930 square feet of living area. The homes range in age from 38 to 45 years old. Each property has a full unfinished basement, central air conditioning, 2½ bathrooms, and a two-car garage. Four of the comparables have one or two fireplaces. The comparables have the same assessment neighborhood code as the subject property. Their improvement assessments range from \$31,319 or from \$35,371 or from \$11.40 to \$12.10 per square foot of living area.

The appellant requested the subject's total assessment be reduced to \$38,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,000. The subject's total assessment reflects a market value of \$450,000 or \$163.16 per square foot of living area, including land, when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-78 property of 10%. The subject property has an improvement assessment of \$37,020 or \$13.42 per square foot of living area.

The board of review contends the subject's recent sale of \$385,000 in 2021 represents a foreclosure sale that it considered not to be arm's length. In support of this statement the board of review submitted a copy of a Lis Pendens Notice of Foreclosure recorded on May 4, 2021, associated with the subject property.

In support of its contention of the correct assessment the board of review submitted information on four comparables composed of two-story dwellings of frame or frame and masonry construction that range in size from 2,612 to 2,748 square feet of living area. The homes range in age from 27 to 43 years old. Each property has a full unfinished basement, central air conditioning, one fireplace, 2½ or 3 bathrooms, and a 2-car or 3-car garage. The comparables have sites ranging in size from 8,850 to 11,039 square feet of living area. The comparables have the same assessment neighborhood code as the subject and are located ¼ of a mile from the subject property. The comparables have improvement assessments that range from \$38,562 to \$46,168 or from \$14.05 to \$16.80 per square foot of living area. Additionally, board of review comparables #3 and #4 sold in September 2019 and April 2021 for prices of \$510,000 and \$410,000 or for \$188.26 and \$149.42 per square foot of living area, including land, respectively.

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 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 May 2021 for a price of \$385,000 or \$139.59 per square foot of living area, including land. The Illinois Supreme Court has held that a contemporaneous sale between parties dealing at arm's length is not only relevant to the question of fair cash value but is practically conclusive on the issue of whether an assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill. 2d 158, 161, 226 N.E.2d 265, 267 (Ill. 1967). 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 the parties to the transaction were not related, the property was sold using a realtor, and the property had been advertised on the open market. In further support of the transaction the appellant submitted a copy of the settlement statement disclosing the purchase price and the payment of commissions to the listing and selling agents. The Board finds the purchase price is below the market value reflected by the subject's assessment. Although the board of review submitted documentation disclosing that a Notice of Foreclosure had been filed, the appellant's documentation does not indicate the property sold as the result of a foreclosure. Additionally, the board of review submitted information on two sales with comparable #4 selling approximately one month prior to the subject's sale for a price of \$410,000 or \$149.42 per square foot of living area. This comparable is superior to the subject in foundation, having a full basement unlike the subject property, which indicates a downward adjustment to the comparable's purchase price would be appropriate to make the property more equivalent to the subject for this difference. The Board finds the purchase price of board of review comparable #4 is supportive of the conclusion the subject's sale was an arm's length transaction reflective of fair cash value. Based on this record the Board finds the subject property had a market value of \$385,000 as of January 1, 2021, and a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

The appellant also contends assessment inequity as a 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, after considering the reduction to the subject's assessment based on the market value finding herein, a further reduction to the subject's assessment based on assessment inequity is not warranted.

The subject's improvement assessment after considering the reduction to the subject's assessment based on the market value finding of \$385,000 is \$30,520 or \$11.07 per square foot of living area. The comparables submitted by the parties have improvement assessments ranging from \$31,319 to \$46,168 or from \$11.40 to \$16.80 per square foot of living area. The subject's revised improvement assessment is below the comparables in this record and is appropriate considering the differences between the subject property and the comparables in foundation. Based on this record the Board finds that an additional reduction in the subject's assessment based on assessment inequity is not 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: _____

January 20, 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 9-125 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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