



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

APPELLANT: Martin Duffy  
DOCKET NO.: 22-35821.001-R-1  
PARCEL NO.: 09-23-331-023-0000

The parties of record before the Property Tax Appeal Board are Martin Duffy, the appellant(s), by attorney Dora Cornelio, 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:** \$17,981  
**IMPR.:** \$24,919  
**TOTAL:** \$42,900

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 an approximately 56-year-old two-story dwelling of frame and masonry construction with 2,828 square feet of living area. Features of the home include central air conditioning, a fireplace and a two-car garage. The property has a 13,832 square foot site and is located in Niles, Maine Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on May 8, 2020, for a price of \$429,000. The appellant answered the questions in Section IV of the residential appeal and submitted a master settlement statement. The answers from Section IV of the residential appeal indicated that the sale of the subject property was not between family members, was sold by a realtor from D'Aprile Properties, was advertised on the Multiple Listing Service and was not

sold due to a foreclosure action. The property was not sold using a contract for deed. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect 8.27% of the purchase price based on the Illinois Department of Revenue's 2017 sale ratio. The total assessment the appellant is requesting is \$35,478.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$54,999 (per the attached board of review award letter). The subject's assessment reflects a market value of \$549,000 or \$194.13 per square foot of living area, land included, when using the 2022 three-year average median level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. These comparables have the same neighborhood code as the subject property and are located on the same block or 0.25 miles away from the subject property. These are two-story residences, with masonry or frame and masonry construction, are between 49 and 59 years old, have 2.5 bathrooms, full or partial basements, three comparables have central air conditioning and one does not, have zero to one fireplace, and a two-car garage. These properties sold on November 20, 2020, for \$550,000, on September 23, 2020, for \$776,000, on March 25, 2021, for \$688,500, and on December 16, 2021, for \$635,000. These comparables have a sale price per square foot between \$204.31 and \$251.37 and have improvement assessments between \$15.74 and \$18.00 per square foot.

### **Conclusion of Law**

The appellant 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 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 on June 29, 2020, for a price of \$429,000. 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, the property had been advertised on the open market in the Multiple Listing Service. In further support of the transaction, the appellant submitted a copy of the settlement statement. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The board makes arguments regarding the settlement statement showing one commission paid out to a listing agent and states the property was listed for \$500,000 to suggest that the \$429,000 price was not reflective of market value but failed to attach or provide any supporting evidence to dispute that the sale was an arm's length transaction.

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 (1<sup>st</sup>) 162714, ¶ 33.

Based on this record the board finds that the best evidence of the subject's market value is the June 29, 2020, sale of the subject for \$429,000. Because the subject's assessment reflects a fair market value of \$549,990, which is greater than the \$429,000 sale price, a reduction in the subject's assessment commensurate with that sale price is warranted. In a submitted brief, counsel argues for an assessment level of 8.27% based on a 2017 Illinois Department of Revenue sales-ratio study, but this assessment percentage is not supported by any attached evidence or documentation, and the normal 10 percent assessment level for residential property will be applied here.

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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