



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

APPELLANT: Kevin A. Moake
DOCKET NO.: 22-35994.001-R-1
PARCEL NO.: 17-06-420-035-1001

The parties of record before the Property Tax Appeal Board are Kevin A Moake, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$4,704
IMPR.: \$44,296
TOTAL: \$49,000

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 residential condominium unit located in a 3-unit, 3-story building of brick and block exterior construction. The dwelling is approximately 19 years old and features 3 bedrooms, 3 bathrooms, central air conditioning, a fireplace and 1-car garage parking. The property has a 3,102 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. The appellant detailed the February 25, 2021 sale of the subject for \$490,000 which has a 44.60% ownership interest in the common elements of the condominium property. To support the subject's sale the appellant completed Section IV of the appeal disclosing the transaction was not between family members or related corporations, the subject was sold with help from a Realtor and was advertised in the Multiple Listing Service

(MLS). The appellant submitted copies of the subject's MLS sheet and PTAX-203 Real Estate Transfer Declaration which reiterated the subject's sale date and price. The appellant also submitted a copy of the settlement statement which reported commissions were paid to real estate agents.

The appellant also revealed in the Residential Appeal petition that the subject property is an owner-occupied residence.

Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$55,518. The subject's assessment reflects a market value of \$555,180, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The Board takes notice that the 2021 tax year was the first year of the subject's triennial general assessment period. The board of review's Notes disclosed no equalization factor was applied in West Chicago Township for tax year 2022.

In support of its contention of the correct assessment the board of review submitted a sales analysis prepared by Katrina Geary, an analyst with the Cook County Board of Review. The analyst provided information on two sales in the subject condominium project, including the subject's February 2021 sale, with a combined sale price of \$900,000 and a combined ownership interest of 72.30% in the common elements of the condominium property. The analyst divided \$900,000 by the percentage of interest of ownership in the condominium property for the units that sold to arrive at an indicated full value for the property of \$1,244,813. The board of review then multiplied the estimated full value for the property by the subject's ownership percentage of 44.60% to arrive at a market value for the subject of \$555,187 and an assessed value of \$55,519 when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. Based on this evidence the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued the board of review did not dispute the arm's length nature of the subject's sale or submit any evidence that the subject's recent sale was not valid. The appellant further noted the Courts have stated that "In the absence of a contemporaneous sale between parties dealing at arm's length...valuation methods are employed to estimate the property's fair market value." The appellant further contended the subject's recent sale overcomes any comparable sales evidence submitted by the board of review.

Pursuant to section 1910.90(i) of the rules of the Property Tax Appeal Board, the Property Tax Appeal Board takes official notice that the subject property was the subject matter of an appeal before the Board for the 2021 tax year under Docket No. 21-31096. (86 Ill.Admin.Code §1910.90(i)). In that appeal, the Property Tax Appeal Board issued a decision lowering the total assessment of the subject property to \$49,000 based on the evidence submitted by the parties. Furthermore, the Board finds that for tax year 2022 the subject property is an owner-occupied residence, which was not refuted by the board of review.

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 Property Tax Appeal Board finds that the total assessment as established by the Board for the 2021 tax year of \$49,000 should be carried forward to the 2022 tax year subject only to equalization as provided by section 16-185 of the Property Tax Code.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2021 tax year under Docket No. 21-31096 in which a decision was issued based upon the evidence presented by the parties reducing the subject's total assessment to \$49,000.¹ The record indicates the subject property is an owner-occupied dwelling and that 2021 and 2022 are within the same general assessment period. The record further indicates that no equalization factor was applied in West Chicago Township for the 2022 tax year. Furthermore, there was no evidence the subject property recently sold establishing a different fair cash value. For these reasons the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the assessment as established in the Board's prior year's decision.

¹ The Property Tax Appeal Board decisions for the 2021 and 2022 tax years are being issued contemporaneously by the Board.

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: _____

June 17, 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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