



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

APPELLANT: Brian Moon
DOCKET NO.: 22-43420.001-R-1
PARCEL NO.: 14-05-314-015-0000

The parties of record before the Property Tax Appeal Board are Brian Moon, the appellant, by attorney Edwin M. Wittenstein of Worssek & Vihon LLP 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: \$37,496
IMPR.: \$12,704
TOTAL: \$50,200

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 two-story multi-family building of brick exterior construction with 3,701 square feet of gross building area. The building is approximately 113 years old. Features of the home include two apartment units, a full basement finished with an additional apartment and three bathrooms. The property has an approximately 4,687 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on April 15, 2021

for a price of \$502,000.¹ The appellant completed Section IV–Recent Sale Data of the appeal petition indicating the subject property was purchased from David Smith & Rebecca Jeffords, the parties to the transaction were not related, the property was sold through a realtor and had been advertised for sale in the Multiple Listing Services (MLS). To document the sale the appellant submitted copies of the MLS listing and the settlement statement. The MLS listing disclosed the subject had been advertised for sale for 5 days and the settlement statement reiterated the sale date and purchase price and further depicted that commissions were paid to two realty agencies.

Based on this evidence, the appellant requested the subject’s assessment be reduced to \$44,276.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,000. The subject's assessment reflects a market value of \$730,000 or \$197.24 per square foot of gross 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%.

In support of its contention of the correct assessment the board of review submitted information on three comparables that have the same assessment neighborhood code and property classification code as the subject. The board of review’s comparable #1 is the subject property. The three properties have the same assessment neighborhood code and property classification code as the subject and are located within the subject’s subarea or approximately ¼ of a mile from the subject. The comparables have sites ranging in size from 3,125 to 7,500 square feet of land area. The comparables are improved with two-story or three-story dwellings of stucco or masonry exterior construction ranging in size from 3,888 to 5,692 square feet of gross building area. The buildings are either 123 or 124 years old. The comparables each have a full basement, one of which is finished with an apartment. Each comparables has three bathrooms, one comparable has two fireplaces and each comparable has either a 2-car or a 2.5-car garage. The properties sold from October 2020 to May 2022 for prices ranging from \$500,000 to \$1,125,000 or from \$116.80 to \$222.48 per square foot of gross building area, including land. The board of review also reported the subject was purchased on June 15, 2021, for \$502,000 or \$135.64 per square foot of gross building area, including land.² Based on this evidence, the board of review requested confirmation of the subject’s assessment.

In written correspondence on February 24, 2025, counsel for the appellant submitted a copy of the Property Tax Appeal Board decision for the 2021 appeal of the subject property reflecting a revised assessment of \$50,200. Counsel stated there were no material changes to the subject property in 2022. Counsel also asserted that the board of review’s 2023 assessment was finalized at \$50,200 through an appeal at the board of review. The appellant contends the subject’s 2022 assessment should be reduced to \$50,200 to bring it in line with the 2021 and 2023 tax years.

¹ The Board finds the subject’s purchase date to be April 15, 2021 as depicted in the Multiple Listing Service (MLS) printout and the settlement statement provided by the appellant, which differs from the April 7, 2021 date reported in Section IV – Recent Sale Data of the appeal petition.

² The parties differ as to the subject’s date of the sale. The Board finds the MLS listing and settlement statement provided by the appellant depicting a sale date of April 15, 2021, is the best evidence in the record.

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 appellant submitted evidence of the 2021 sale of the subject property and the board of review submitted three comparables sales to support their respective positions before the Board.

The Board finds the best evidence of market value to be the purchase of the subject property in April 2021 for a price of \$520,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant disclosed the parties to the transaction were not related and the property was not sold due to a foreclosure action or using a contract for deed. In further support of the transaction, the appellant submitted copies of the MLS listing and the settlement statement reiterating the sale date and the purchase price. The Board finds the board of review did not present any substantive evidence to challenge the arm's length nature of the subject's sale transaction. In addition, the assessing officials did not refute the contention that the purchase price was reflective of market value. The Board finds the purchase price of \$502,000 is below the market value of \$730,000 as reflected by the assessment. Furthermore, the Board gave less weight to the board of review comparables due to significant differences from the subject in building size and/or design. Additionally, board of review comparable #4 has a sale date that occurred in 2020, less proximate to the January 1, 2022, assessment date than the sale date of the subject property. As a final point, the board of review reported the same sale of the subject in 2021 for \$502,000, which is the basis of the appellant's appeal on market value grounds. Therefore, based on this record the Board finds subject property had a market value of \$502,000 as of the assessment date at issue. Since market value has been established, the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00% shall apply.

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:

August 19, 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

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