



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

APPELLANT: Maria Luscan
DOCKET NO.: 23-35213.001-R-1
PARCEL NO.: 09-29-204-006-0000

The parties of record before the Property Tax Appeal Board are Maria Luscan, the appellant, by attorney Nicholas T. McIntyre, of Much Shelist, P.C. 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: \$5,100
IMPR.: \$18,900
TOTAL: \$24,000

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 2023 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 masonry exterior construction with 1,193 square feet of living area. The dwelling is approximately 75 years old. Features of the home include a full basement and a 1-car garage. The property has a 6,000 square foot site and is located in Des Plaines, Maine Township, Cook County. The subject is classified as a class 2-05 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 June 13, 2023 for a price of \$240,000. The appellant reported that the seller was Dardanilo Baccay, the parties to the transaction were not related, and the property sold through a realtor. The appellant also indicated the property was advertised for sale through the Multiple Listing Service for a period of three months. The appellant also submitted a copy of the settlement statement confirming the sale

price and the payment of realtor commissions. The settlement statement also disclosed a first mortgage payoff in the amount of \$210,847. Based on this evidence, the appellant requested a reduction in the subject's assessment 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 \$30,058. The subject's assessment reflects a market value of \$300,580 or \$251.95 per square foot of living area, land included, when applying the 10% level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales, two of which are located within the subject's assessment neighborhood. The comparables consist of 2-story class 2-05 dwellings of frame, masonry, or frame and masonry exterior construction ranging from 1,180 to 1,580 square feet of living area. The dwellings range in age from 75 to 129 years old. Each dwelling has a full or partial basement and a 2-car or 2.5-car garage. One comparable has central air conditioning and a fireplace. The parcels range in size from 4,995 to 9,438 square feet of land area. The comparables sold from October 2020 to July 2023 for prices ranging from \$312,000 to \$445,000 or from \$261.74 to \$283.90 per square foot of living area, including land. The board of review also submitted a copy of the listing sheet associated with the subject's sale, which indicated a "possible short sale." Based on this evidence, the board of review requested confirmation of the subject's assessment.

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.

With respect to the board of review's argument that the subject's sale was a short sale, Section 16-183 of the Property Tax Code provides:

Compulsory sales. The Property Tax Appeal Board shall consider compulsory sales of comparable properties for the purpose of revising and correcting assessments, including those compulsory sales of comparable properties submitted by the taxpayer.

35 ILCS 200/16-185.

The Board finds the best evidence of market value to be the purchase of the subject property in June 2023 for a price of \$240,000. The appellant submitted a copy of the settlement statement associated with the sale disclosing the property was advertised for sale and had the elements of an arm's length transaction. The appellant also completed Sec. IV – Recent Sale Data of the appeal form confirming the sale was not due to a foreclosure. The Board finds the purchase

price is below the market value reflected by the assessment. The Board gave less weight to the comparables presented by the board of review, two of which differ from the subject in age, dwelling size, and/or sold less proximate to the assessment date at issue. The board of review's remaining comparable features central air conditioning and a fireplace, features the subject lacks, as well as a 2-car garage in contrast to the subject's 1-car garage. After considering adjustments, this comparable supports the subject's sale price as being indicative of market value. Based on the evidence in this record, the Board finds a reduction in the subject's assessment 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: _____

July 21, 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

AGENCY

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