



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

APPELLANT: Indolfo Cavada
DOCKET NO.: 23-39842.001-R-1
PARCEL NO.: 12-29-400-162-0000

The parties of record before the Property Tax Appeal Board are Indolfo Cavada, the appellant(s); 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: \$2,300
IMPR.: \$0
TOTAL: \$2,300

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 14,999 square foot parcel of land improved with an 82-year-old, one-story, frame, single-family dwelling containing 572 square feet of building area. The property is located in Melrose Park, Leyden Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of the market value argument, appellant submitted copies of the multiple listing service advertisement (MLS), the sales contract, and the settlement statement which disclosed the purchase of the subject April 12, 2023, for \$23,000. The settlement statement included commissions to a realty company. The MLS advertised that the price was for the land and that the property was ideal for new construction. The petition discloses that the transfer was not between related parties, that the property was advertised for sale on the multiple listing service for 72 days with the assistance of a realtor, and that the property was not sold due to a foreclosure or for a contract for deed. The

petition asserts the subject was not habitable. The appellant also included photographs of the subject's interior, a plat of survey, an asbestos inspection report, and an MLS for a 2022 sale for \$30,000.

The board of review submitted two "Board of Review Notes on Appeal" disclosing the assessment of \$14,999 which reflects a market value of \$149,990 using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of the current assessment, the board of review submitted four sales comparables. These comparables are described as one or one and one-half story, frame or masonry, single-family dwellings. They range in age from 62 to 84 years and in size from 768 to 936 square feet of building area. These comparables sold from February 2021 to October 2023 for prices ranging from \$268.23 to \$337.58 per square foot of building area. The Notes on Appeal disclose that the subject was purchased with "intent to demolish." The board of review also listed the sale of the subject in July 2023 for \$23,000.

In rebuttal, the appellant submitted a letter asserting the subject was a teardown house with no water service or electrical. The appellant resubmitted the MLS and photographs of the subject.

At hearing, the appellant, Indolfo Cavada, call his witness, Omar Cavada. Omar Cavada testified that the MLS indicates the purchase is for the land only. He testified that there is no water to the property and that the pictures submitted into evidence, which he took, support the condition of the property. He clarified that he took these pictures right before the property was purchased.

Mr. Indolfo Cavada testified that he is a licensed real estate broker and saw this property listed on the MLS. He testified that he looks at the listings in his neighborhood and found this listing with the realtor that he is friends with. Indolfo Cavada testified that the improvement was demolished in 2024.

The board of review's witness, Shaina Howell, argued that the subject's sale was not between a willing buyer and seller due to the state of the home which reflects a duress sale. She also argued that the buyer and seller had a relationship between them and asserted that the sale was not an arm's length transaction.

In response, Mr. Indolfo Cavada clarified that he did not know the seller and that he knew the realtor from discussing other properties with him. On cross examination, Ms. Howell testified that she could not agree that the subject was uninhabitable. She confirmed the board of review valued the land as improved. She testified that the subject was not made uninhabitable based on a natural disaster. Indolfo Cavada questioned his witness again who testified that he was unsure of how the damage to the improvement occurred which rendered it uninhabitable but that the structure was old. He reiterated that the property was advertised for sale.

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 best evidence of market value to be the purchase of the subject property in April 2023 for a price of \$23,000. The appellant submitted evidence of the sale of the subject, that the property was listed on the open market, and that a realtor was involved in the sale. Although the appellant knew the realtor, the board of review failed to show that this connection invalidated the arm's length nature of the sale. Moreover, the appellant submitted sufficient evidence to show that the purchase of the property was for the land only with the intent to demolish the uninhabitable improvement. Based on this record the Board finds the subject property had a market value of \$23,000 as of the lien date. Since market value has been determined, the level of assessment of 10% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance shall apply and a reduction in the subject's assessment is warranted.

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

AGENCY

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