



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

APPELLANT: Pints, LLC
DOCKET NO.: 10-32173.001-R-1
PARCEL NO.: 14-31-132-018-0000

The parties of record before the Property Tax Appeal Board are Pints, LLC, the appellant, by attorney Richard J. Caldarazzo, of Mar Cal Law, P.C. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$11,400
IMPR.: \$40,563
TOTAL: \$51,963

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) contesting the assessment for the 2010 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 is improved with a 1.5-story dwelling of masonry construction with 1,685 square feet of living area. The dwelling is approximately 127 years old. Features of the home include a full unfinished basement, central air conditioning, one fireplace and a two-car detached garage. The property has a 2,400 square foot site and is located in Chicago, West Chicago

Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends both assessment inequity and overvaluation as the bases of the appeal. In support of the assessment inequity argument the appellant submitted information on three equity comparables with improvement assessments ranging from \$20.52 to \$21.26 per square foot of living area. The appellant indicated the subject property had an improvement assessment of \$40,563 or \$24.07 per square foot of living area. The appellant's evidence also disclosed the subject property was purchased in June 2006 for a price of \$460,000.

The appellant also submitted a copy of the final decision issued by the board of review establishing a total assessment of \$51,963. The subject's assessment reflects a market value of \$519,630 when applying the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-03 property of 10%. Based on this evidence, the appellant requested the subject's assessment be reduced to \$46,000 to reflect the purchase price.

The board of review did not timely submit its "Board of Review Notes on Appeal" and evidence in support of the assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The Board finds the only evidence of assessment equity timely submitted to be appellant's comparables. These comparables had improvement assessments that ranged from \$20.52 to \$21.26 per square foot of living area. However, each comparable was inferior to the subject in features. Two of the comparables had

no basements, one comparable had no central air conditioning, none of the comparables had a fireplace and one comparable did not have a garage. The subject's improvement assessment of \$24.07 per square foot of living area falls above the range established by the best comparables in this record but is justified based on its superior attributes. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on this basis.

Alternatively, 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The appellant provided evidence disclosing the subject was purchased in June 2006 for a price of \$460,000. The Board finds the sale of the subject property in excess of 3½ years prior to the assessment date at issue is not sufficiently proximate in time to demonstrate the subject's assessment is excessive based on overvaluation.

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.



Chairman



Member



Member



Member



Member

DISSENTING:

C E R T I F I C A T I O N

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: March 20, 2015



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 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 the subsequent year 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.

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.