



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

APPELLANT: Arnold Ginsburg
DOCKET NO.: 11-35115.001-C-1
PARCEL NO.: 19-08-332-009-0000

The parties of record before the Property Tax Appeal Board are Arnold Ginsburg, the appellant, by attorney Caren Gertner, of the Law Office of Michael D. Gertner 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: \$14,368
IMPR.: \$24,382
TOTAL: \$38,750

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) challenging the assessment for the 2011 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 one-story commercial building of masonry construction with approximately 2,000 square feet of building area. The building is approximately 47 years old.¹ The property has a 4,421 square foot site and is located in Chicago, Lake Township, Cook County. The property is a class 5-17 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 an ad valorem appraisal estimating the subject property had a market value of \$155,000 as of January 1, 2009. The appellant's appraisal was completed using the sales

¹ The parties differ slightly as to the age and size of the subject building, however, neither party submitted evidence of age or a sketch to support their claims. The Board finds the slight difference in age and building size will not affect the Board's decision in this appeal.

comparison approach in estimating a market value for the subject property. The appellant's appraisers selected five comparable properties, located in Chicago, that were similar one-story masonry buildings ranging in size from 2,400 to 5,000 square feet of building area. The comparables were built from 1935 to 1961. The comparables had other features with varying degrees of similarity to the subject. The comparables had sale dates ranging from July 2007 to December 2009 for prices ranging from \$157,000 to \$292,000 or from \$58.40 to \$70.63 per square foot of building area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,555. The subject's assessment reflects a market value of \$214,220 or \$107.11 per square foot of building area, land included, when using 2,000 square feet of building area and when using the level of assessments for class 5 property of 25% 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 five sales that were located in Chicago or Berwyn. The comparables were one-story or two-story buildings that ranged in size from 847 to 2,500 square feet of building area. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from January 2007 to June 2011 for prices ranging from \$140,000 to \$320,000 or from \$118.00 to \$275.59 per square foot of building area, including land.

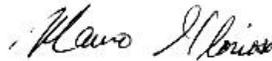
Conclusion of Law

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 Board finds the best evidence of market value to be the appraisal submitted by the appellant estimating the subject had a market value of \$155,000 as of January 1, 2009. The subject's assessment reflects a market value of \$214,220, which is above the appraised value. The Board gave less weight to the board of review's comparable #2 due to its dissimilar two-story design, when compared to the subject's one-story design. The Board also gave less weight to board of review's comparable #5 due to its Berwyn location, unlike the subject's Chicago location. The Board finds the remaining board of review sales do not overcome the weight of the appellant's appraisal.

Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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: February 13, 2019



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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