



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

APPELLANT: Petrozzini Family Real Estate, LLC  
DOCKET NO.: 15-31097.001-R-1  
PARCEL NO.: 13-36-111-026-0000

The parties of record before the Property Tax Appeal Board are Petrozzini Family Real Estate, LLC, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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 **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:** \$7,578  
**IMPR.:** \$42,591  
**TOTAL:** \$50,169

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 2015 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 two improvements situated on one parcel. Improvement #1 is a two-story multi-family dwelling of masonry construction with 3,303 square feet of living area. The dwelling is 124 years old. The dwelling has a full unfinished basement and central air-conditioning. Improvement #2 is a two-story dwelling of masonry construction with 2,804 square feet of living area. The dwelling is 124 years old and has central air-conditioning. The property has a 3,368 square foot site and is in Chicago, West Chicago Township, Cook County. The improvements are classified as class 2-11 apartment buildings under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on both overvaluation and unequal treatment in the assessment process. In support of the overvaluation argument, the appellant submitted limited evidence disclosing the subject property was purchased on June 6, 2012 for a price of \$400,000. The

appellant failed to complete the portions of Section IV-Recent Sale Data of the appeal form, which would have identified the manner by which the subject property was advertised and the length of time the property was marketed. The appellant submitted a copy of the settlement statement in support of the sale price; however, this evidence does not reveal how the property was advertised for sale and the length of market exposure.

In support of the assessment inequity argument, the appellant submitted two separate grid analyses for both improvements. The grid analysis for Improvement #1 contained five comparables located within different neighborhood codes than the subject property. The comparables were two-story or three-story multi-family dwellings of masonry construction containing from 3,220 to 3,351 square feet of living area. The dwellings range in age from 114 to 122 years old and have full basements, three of which have apartments. The comparables lack central air-conditioning. Four of the comparables have either a 1.5-car or a two-car detached garage. The comparables had improvement assessments ranging from \$17,060 to \$18,283 or from \$5.13 to \$5.54 per square feet of living area.

The grid analysis for Improvement #2 contained five comparables located within different neighborhood codes than the subject property. The comparables were two-story multi-family dwellings of frame or masonry construction containing from 2,730 to 2,942 square feet of living area. The dwellings range in age from 114 to 124 years old and have full unfinished basements. The comparables lack central air-conditioning. Four of the comparables have either a one-car or a two-car detached garage. The comparables had improvement assessments ranging from \$11,538 to \$14,453 or from \$4.08 to \$5.21 per square feet of living area.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$50,169. The subject's assessment reflects a market value of \$501,690 or \$85.95 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. Improvement #1 has an improvement assessment of \$23,995 or \$7.26 per square foot of living area. Improvement #2 has an improvement assessment of \$18,596 or \$6.63 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted a grid analysis for Improvement #1 containing four comparables which were located within the same neighborhood code as the subject property. The comparables were two-story or three-story multi-family dwellings of masonry construction containing from 3,451 to 3,621 square feet of living area. The dwellings range in age from 53 to 122 years old. The comparables have full basements, one of which has an apartment. The comparables lack central air-conditioning. Three of the comparables have a garage ranging in size from a one-car to a 2.5-car garage. The comparables had improvement assessments ranging from \$25,883 to \$34,680 or from \$7.50 to \$9.57 per square feet of living area. The board of review did not supply any evidence in support of its assessment for Improvement #2.

Based on this evidence, the board of review requested a confirmation of the subject's assessment.

### **Conclusion of Law**

The appellant contends in part 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.

The Board gave little weight to the subject's sale due to its occurrence greater than 30 months prior to the assessment date at issue. In addition, the appellant failed to fully complete Section IV - Recent Sale Data of the appeal, which would have disclosed how the property was advertised for sale on the open market and the length of time the subject was marketed. The appellant submitted a copy of the settlement statement; however, this evidence does not reveal how the property was advertised for sale and the length of market exposure, which are important elements of determining whether an arm's length transaction occurred. The Property Tax Appeal Board's appeal form requires Section IV to be completed when arguing overvaluation based on a recent sale. Based on this record, the Board finds a reduction of the subject's assessment is not justified based on the grounds of overvaluation.

The taxpayer also contends assessment inequity as an alternative 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.

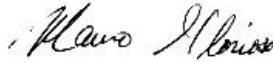
The parties submitted nine comparables for Improvement #1 for the Board's consideration. The Board finds the best evidence of assessment equity to be board of review's comparables #2, #3 and #4. These comparables were most similar to the subject in location, age, size and features. These comparables had improvement assessments that ranged from \$25,883 to \$34,680 or from \$7.50 or \$9.57 per square foot of living area. The subject's improvement assessment of \$23,995 or \$7.26 per square foot of living area falls below the range established by the best comparables in this record. The Board gave less weight to the parties remaining comparables due to their different neighborhood codes or considerably newer age when compared to the subject. Based on this evidence, the Board finds a reduction in the subject's assessment for Improvement #1 is not justified.

The Board finds the only evidence of improvement assessment equity for Improvement #2 was presented by the appellant. These comparables had improvement assessments that ranged from \$11,538 to \$14,453 or from \$4.08 to \$5.21 per square foot of living area. The subject's improvement assessment of \$18,596 or \$6.63 per square foot of living area falls above the range established by the only comparables in this record. However, the Board finds the subject is superior to the comparables due to its additional features, including central air-conditioning.

After adjusting the comparables for differences when compared to the subject property, the Board finds a reduction in the subject's assessment for Improvement #2 is not justified.

In conclusion, the Board finds the appellant did not prove overvaluation or demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed. Therefore, a reduction in the subject's assessment is not justified on the grounds of overvaluation or unequal treatment in the assessment process.

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**

**State of Illinois  
Property Tax Appeal Board  
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**APPELLANT**

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