



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

APPELLANT: Tania Sanchez  
DOCKET NO.: 15-36108.001-C-1  
PARCEL NO.: 16-35-406-025-0000

The parties of record before the Property Tax Appeal Board are Tania Sanchez, the appellant, by Edward P. Larkin, Attorney at Law in Des Plaines; 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:** \$1,256  
**IMPR.:** \$26,147  
**TOTAL:** \$27,403

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 is improved with a part one-story part two-story commercial/residential building of masonry construction. The building contains two residential units and two commercial units. The two-story building contains approximately 3,478 square feet of building area and is approximately 125 years old. There is also a 90-year-old add-on to the original building.<sup>1</sup> The subject is situated on a 3,125 square foot site located in Chicago, South Chicago Township, Cook County. The subject is classified as a class 5-17 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends in part that the subject property is misclassified as a class 5-17 commercial building assessed at 25% of market value and should be classified as a class 2-12 mixed use property assessed at 10% of market value.

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<sup>1</sup> The appellant did not disclose the size of the add-on.

Alternatively, the appellant contends the market value of the subject property is not accurately reflected in its assessed valuation.<sup>2</sup> In support of the overvaluation argument, the appellant submitted an income analysis including the rent roll from 2015 and income and expense statements from income tax returns for years 2012-2014. The appellant's attorney used a cap rate of 13.88% which included a tax load factor of 1.88%. Based on this income analysis, the appellant valued the subject at \$274,027. The appellant requested the subject's assessment be reduced to \$274,027 after applying the level of assessment for class 2-12 property. The appellant also submitted photographic evidence of the subject parcel showing a two-story building.

The board of review did not timely submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

### **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 only evidence of market value in the record was submitted by the appellant. The appellant used the income approach to determine the fair market value of the subject at \$274,027.

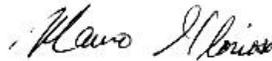
The appellant also claims the subject is misclassified as class 5-17. According to the "Definitions for the Codes for Classification of Real Property" issued by the Cook County Assessor, class 5-17 is defined as a "One story commercial building" and has a level of assessment of 25%. Class 2-12 is defined as a "Mixed use commercial/residential building with apartment and commercial area totaling 6 units or less with a square footage area less than 20,000 square feet, any age" and has a level of assessment of 10%. The Property Tax Appeal Board finds the appellant's descriptive information of the subject property demonstrates the subject should be classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review did not timely submit any evidence in support of its assessment of the subject property or to refute the evidence submitted by the appellant as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.40(a)) and was found to be in default by a letter dated May 17, 2018. The Board has examined the information submitted by the appellant and finds a reduction in the assessed valuation of the subject property commensurate with the appellant's request is warranted.

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<sup>2</sup> The appellant marked equity and contention of law as the bases of the appeal. The appellant submitted information on the income approach to value for the subject but did not submit any equity comparables.

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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