



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

APPELLANT: Jim Keorpes
DOCKET NO.: 19-35056.001-R-1
PARCEL NO.: 22-29-230-022-0000

The parties of record before the Property Tax Appeal Board are Jim Keorpes, the appellant(s), by attorney Gregory P. Diamantopoulos, of Verros Berkshire in Oakbrook Terrace; 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: \$5,170
IMPR.: \$8,796
TOTAL: \$13,966

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 2019 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 60-year-old one-story, single-family dwelling of frame construction with 994 square feet of living area. Features of the home include a crawl space and a two-car garage. The property has a 9,400 square foot site and is located in Lemont, Lemont Township, Cook County. The subject is classified as a class 2-02 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's asserts overvaluation and assessment inequity as the basis for this appeal.

In support of the overvaluation argument the appellant submitted evidence disclosing that the subject property was purchased on April 17, 2019, for a price of \$60,000. The appellant's pleadings regarding Section IV- Recent Sale Data confirmed: the closing date, sale price, that the parties to the transaction were not related, that the subject for sale by owner, and that the seller's

mortgage was not assumed. In support, the appellant submitted the real estate contract, the settlement statement, and deed.

In support of the assessment inequity argument the appellant submitted information on four equity comparables. Based on this evidence the appellant requested the subject's total assessment be reduced to \$6,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$18,968. The subject's assessment reflects a market value of \$189,680 or \$60.36 per square foot of living area, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. The subject's improvement assessment is \$13,798, or \$13.88 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four sales comparables that were located within the same subarea as the subject with two comparables located within a ¼ radius of the subject. The improvements ranged: in age from 44 to 136 years; in size from 864 to 979 square feet of living area. They sold from October 2017 to December 2019 for prices ranging from \$225.54 to \$247.50 per square foot of building area, including land.

In support of its contention of the correct assessment the board of review also submitted information on four suggested equity comparables. The comparables were located within a block of the subject. The comparables ranged in age from 61 to 66 years, in size from 750 to 980 square feet of living area and in assessment amount from \$15.39 to \$19.04 per square foot of living area.

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

Conclusion of Law

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

The Board gives little weight to the subject's sale due to lack of information regarding the arm's length nature of the sale. The appellant's pleadings state that the subject was a cash sale sold by the owner. No further evidence was submitted to explain and/or describe what is involved in for sale by owner. Furthermore, the evidence shows that the subject was not advertised on the open market which is an important element of determining whether an arm's length transaction

occurred. Therefore, the Board finds the subject's assessment is not reflective of market value and reduction in the subject's assessment is not justified.

The Board will now consider appellant's assessment inequity argument to determine if any further reduction is warranted. 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 *met* this burden of proof, and a further reduction in the subject's assessment on this basis *is* warranted.

The Board finds the best evidence of assessment equity to be *the appellant's comparables one, two, and four*. These comparables had improvement assessments that ranged from \$8.60 to \$9.46 per square foot of living area. The subject's improvement assessment of \$13.88 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvements were inequitably assessed, and a further reduction in the subject's assessment on that basis *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: September 19, 2023



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

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