



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

APPELLANT: Amir Uddin  
DOCKET NO.: 07-27052.001-R-1  
PARCEL NO.: 13-13-314-041-1002

The parties of record before the Property Tax Appeal Board are Amir Uddin, the appellant(s), by attorney Arnold G. Siegel, of Siegel & Callahan, 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 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:** \$ 2,897  
**IMPR:** \$ 37,665  
**TOTAL:** \$ 40,562

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a class 2-99 residential condominium unit with a percentage of ownership of 21.43%, and is located in Jefferson Township, Cook County. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of the overvaluation argument the appellant, via counsel, submitted a real estate purchase contract naming the appellant as the purchaser and 4250 Development Corp. as the seller. The contract was signed by both parties, is dated November 1, 2004, and states that the sale price of the subject was \$404,000. The appellant also submitted a settlement statement showing that the subject was purchased on December 17, 2004 for \$404,000. A warranty deed was also submitted, which contains State of Illinois Real Estate Transfer Tax Stamps for \$404.00, and which is dated December 29, 2004. The appellant's pleadings state that the sale was an arm's length transaction. 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" wherein the subject's total assessment of \$53,271 was disclosed. This assessment reflects a market value of \$530,588

using the 2007 Illinois Department of Revenue three year median level of assessment for class 2 property of 10.04%. In support of the subject's assessment, the board of review submitted a memo from William E. Cahill from the Cook County Assessor's Office. The memorandum shows that five units in the subject's building sold in 2005 or 2006 for between \$260,000 and \$356,000. These units have an percentage of ownership ranging from 11.40% to 13.46%. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant re-affirmed the evidence previously submitted and waived the original request for an oral hearing.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. 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). Furthermore, in general, "a contemporaneous sale between parties dealing at arms [sic] length is not only relevant to the question of fair cash market value, but [is] practically conclusive." Village of Lake Villa v. Stokovich, 211 Ill. 2d 106, 132 (2004) (quoting People ex rel. Korzen v. Belt Ry. Co. of Chi., 37 Ill. 2d 158, 161 (1967)). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction is warranted.

The Board finds the best evidence of the subject's market value is the sale of the subject in December 2004, which is supported by the real estate sale contract, the settlement statement, and the warranty deed. The sale was within 25 months of the 2007 assessment date, and the appellant's pleadings state that the sale was an arm's-length transaction.

Based on this record the Board finds that the subject property had a market value of \$404,000 for tax year 2007. Since market value has been determined, the 2007 Illinois Department of Revenue three-year median level of assessment for class 2 property of 10.04% shall apply. In applying this level of assessment to the subject, the total assessed value is \$40,562 while the subject's current total assessed value is above this amount. Therefore, the Board finds that a reduction is warranted.

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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*J. R.*

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: November 30, 2012

*Allen Castrovillari*

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.