



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

APPELLANT: Ed Gobbo  
DOCKET NO.: 07-27849.001-R-1  
PARCEL NO.: 14-31-132-005-0000

The parties of record before the Property Tax Appeal Board are Ed Gobbo, the appellant, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher, 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:** \$10,278  
**IMPR.:** \$23,118  
**TOTAL:** \$33,396

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story multi-family dwelling of masonry construction that contains 1,360 square feet of building area. The subject has four apartments, a partial unfinished basement and a 1.5-car detached garage. The building is approximately 118 years old. The subject property is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance (Ordinance) and is located in Chicago, West Chicago Township, Cook County.

The appellant contends overvaluation based on a recent sale of the subject property. The appellant completed Section IV - Recent Sale Data, on the Residential Appeal Form indicating the subject property was purchased in June 2005 for a price of \$330,000. The appellant indicated the parties to the transaction were not related and the property was advertised for sale. In further support of the purchase price the appellant submitted a copy of settlement statement dated June 22, 2005, disclosing the subject property sold for a price of \$330,000.

The appellant also made reference to the fact the subject property was the subject matter of an appeal before the Property

Tax Appeal Board in the 2006 assessment year under Property Tax Appeal Board Docket Number 06-27949.001-R-1.

Based this evidence the appellant requested the subject's assessment be reduced to \$23,397.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$48,625 was disclosed. The subject's assessment reflects a market value of \$484,313 when applying the 2007 three year median level of assessments for class 2 property of 10.04% as determined by the Illinois Department of Revenue.

In support of the assessment the board of review provided information on three comparables improved with two-story multi-family dwellings of masonry or frame construction that range in size from 1,260 to 1,554 square feet of building area. The comparables range in age from 100 to 125 years old. Each has a partial unfinished basement and one comparable has a one-car garage. The comparables have improvement assessments ranging from \$36,884 to \$41,619 or from \$26.78 to \$29.27 per square foot of living area. The subject has an improvement assessment of \$38,347 or \$28.20 per square foot of living area.

The board of review also reported the subject sold in June 2005 for a price of \$330,000. The board of review further indicated its comparable #2 sold in September 2007 for a price of \$745,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends overvaluation of the subject property based on a recent sale. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). 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 appellant provided evidence disclosing the subject property was purchased in June 2005 for a price of \$330,000. A contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The appellant provided information indicating the sale had the elements of an arm's

length transaction. The record disclosed the board of review also recognized the subject sold in June 2005 for a price of \$330,000. The board of review submitted no evidence challenging the arm's length nature of the sale. The Board finds the sale of the subject property is the best evidence of market value in the record.

Furthermore, the Board takes notice that the subject property was the subject matter of an appeal the prior year under Property Tax Appeal Board Docket Number 06-27949.001-R-1. (86 Ill.Admin.Code §1910.90(i)). In that appeal the Property Tax Appeal Board found the subject property had a market value of \$330,000 based on the June 2005 sale and reduced the assessment to \$33,396. Additionally, the Board takes notice that 2006 and 2007 are within the same general assessment period for West Chicago Township. Based on this record the Board finds that a reduction in the 2007 assessment commensurate to the assessment as established in the prior year's appeal is appropriate.

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

*Frank J. Huff*

Member

Member

*Mario M. Louie*

*Shawn P. Lerbis*

Member

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: September 23, 2011

*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.