



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

APPELLANT: Vladimir Sokhatskiy
DOCKET NO.: 07-29026.001-R-1
PARCEL NO.: 03-15-400-020-0000

The parties of record before the Property Tax Appeal Board are Vladimir Sokhatskiy, 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: \$ 3,145
IMPR.: \$58,068
TOTAL: \$61,213

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property has 3,025 square feet of land, which is improved with a 26 year old, three-story, masonry, multi-family building containing 6,768 square feet of living area, and six dwelling units. The building contains six baths and a slab. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of the market value argument, the appellant, via counsel, submitted descriptive and sales information on four comparable properties described as three-story, masonry buildings that range in size from 6,147 to 6,627 square feet of living area. The buildings are all 26 years old, and contain six dwelling units, six baths, and a slab. The comparables sold between April 2004 and May 2007 for between \$607,500 and \$640,000, or between \$97.19 to \$103.30 per square foot 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" wherein the subject's final assessment of \$71,523 was disclosed. The subject's final assessment reflects a fair market value of \$712,380 when the 2007 Illinois Department of Revenue three-year median level of assessment for Class 2 properties of

10.04% is applied. In support of the subject's assessment, the board of review presented descriptions and assessment information on four suggested comparables described as three-story, masonry, multi-family buildings. The properties contain either 6,585 or 6,768 square feet of living area, and all of the buildings contain six dwelling units, six baths, and a slab. The comparables have improvement assessments of either \$10.10 or \$10.13 per square foot of living area. Additionally, the board of review's grid sheet states that Comparable #4 sold in November 2005 for \$640,000, or \$97.19 per square foot of living area.

The board of review also submitted a list of sales of properties located within the subject's neighborhood. This list included the PIN, deed number, the date of the sale, and the sale price for twenty properties. No other information was given regarding these properties. Based on this evidence, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted the Cook County Board of Review's final decision regarding the subject's 2008 assessment. The decision states that the subject's final assessment for 2008 was \$61,213. This assessed value yields a market value of \$637,635, or \$94.21 per square foot of living area, when the 2008 Illinois Department of Revenue three-year median level of assessment for Class 2 properties of 9.60% is applied.

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, evidence showing that the subject received a reduction in a later assessment year is admissible, and can be a relevant factor in determining whether the assessment for the tax year at issue is grossly excessive. Hoyne Savings & Loan Ass'n v. Hare, 60 Ill. 2d 84, 90 (1974). However, when such evidence is taken into account, consideration must be given to any changes in the property that may have changed the subject's assessed value. Id. Having considered the evidence presented, the Board concludes that the evidence indicates a reduction is warranted.

The Board finds that, under Hoyne, it can consider the 2008 reduction by the Cook County Board of Review. The Board further finds that the best evidence of the subject's 2007 assessment is

the decision rendered by the Cook County Board of Review for the subject's 2008 assessment. As described above, the subject's assessed value under the Cook County Board of Review's 2008 decision is \$61,213.

Based on this record the Board finds that the subject property had an assessed value of \$61,213 for tax year 2007. The subject's current assessed value is above this amount, and, therefore, the Board finds that a reduction is warranted. The Board gives little weight to the board of review's comparables as the information provided was unadjusted raw sales data.

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.

Donald 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: August 28, 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.