



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

APPELLANT: Elias Sanchez
DOCKET NO.: 07-29349.001-R-1
PARCEL NO.: 16-11-303-023-0000

The parties of record before the Property Tax Appeal Board are Elias Sanchez, the appellant(s), by attorney Edward Larkin, of Larkin & Larkin in Park Ridge; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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: \$5,600
IMPR.: \$25,872
TOTAL: \$31,472

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 4,375 square foot parcel of land improved with an 88-year old, two-story, masonry constructed, multi-family dwelling containing 3,214 square feet of living area. The subject includes three baths and a full finished basement with an apartment. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this overvaluation argument, the appellant submitted a copy of the of the settlement statement stating that the subject was refinanced for \$200,000 on January 6, 2005. In addition, the appellant submitted a copy of the survey, an unsigned authenticity affidavit, and a 2002 assessment/sales ration study. The settlement statement does not include seller's information, real estate broker commissions, and any proceeds to seller.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$31,472 was disclosed. This assessment reflects a market value of \$313,466 using the Illinois Department of Revenue's 2007 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 descriptions and assessment information for four properties

located within the subject's neighborhood. These properties are described as two-story, masonry, multi-family dwellings with between two and three baths, a full finished or unfinished basement with comparable #3 having an apartment in the basement, and a two-car garage. The properties range: in age from 93 to 116 years old; in size from 2,674 to 3,054 square feet of living area; and in improvement assessments from \$8.01 to \$8.90 per square foot of living area. 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 this appeal. When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d Dist. 2000). 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. 86 Ill. Admin. Code 1910.65(c). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction in the subject's assessment is not warranted.

The PTAB finds the appellant failed to submit evidence regarding proof of market value. The settlement statement submitted by the appellant is not based on the sale of the subject property but a refinance and therefore, cannot be employed to establish market value as established by a recent arm's length sale of the subject property. Based on the foregoing analysis, the Board finds a reduction in the subject's assessment to reflect the appellant's requested amount is not warranted for the 2007 assessment.

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

Marko M. Louie

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: October 19, 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.