



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

APPELLANT: Gueorgui Gueorguiev  
DOCKET NO.: 08-24463.001-R-1  
PARCEL NO.: 18-33-418-017-0000

The parties of record before the Property Tax Appeal Board are Gueorgui Gueorguiev, the appellant, by attorney Christopher G. Walsh, Jr. 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:     \$ 7,098**  
**IMPR.:    \$ 20,742**  
**TOTAL:    \$ 27,840**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story, single-family dwelling with 3,433 square feet of living area. The subject has frame and masonry exterior construction, a full finished basement, central air conditioning, a fireplace, and a three-car attached garage. The dwelling is three years old and is located in Willow Springs, Lyons Township, Cook County. The property is classified as a class 2-78 residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation based on a recent sale of the subject property. When the appellant's attorney completed section IV of the residential appeal form, he indicated that the subject property was purchased in February 2009 for a price of \$290,000 or \$84.47 per square foot of living area, land included. To further document the sale, the appellant submitted a copy of the Illinois Real Estate Transfer Declaration, PTAX-203, disclosing the subject property was purchased in February 2009 for a price of \$290,000. The transfer declaration indicated the subject was advertised for sale, and there was no indication the parties were related. The appellant's attorney also submitted a brief in support of this argument. In the brief, counsel argued the subject had a market value of \$290,000 and the assessment should be calculated by applying the 10% median level of assessment for Class 2 residential property in Cook County.

Based on this record, the appellant requested the subject's assessment be reduced to \$29,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$68,891 was disclosed. The subject's assessment reflects a market value of \$717,615 using the 2008 three year average median level of assessments for class 2 property of 9.60% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)).

The board of review provided information on four comparable properties to demonstrate the subject was being equitably assessed. The comparables were improved with two-story, single-family, masonry or frame and masonry dwellings that range in age from two to nineteen years old. The comparable properties have the same assigned neighborhood and classification codes as the subject, and two are located on the same block as the subject. The dwellings range in size from 2,047 to 3,194 square feet of living area. These comparables had improvement assessments ranging from \$18.57 to \$18.88 per square foot of living area. The subject has an improvement assessment of \$61,793 or \$18.00 per square foot of living area.

As part of its evidence, the board of review provided two sale prices for the subject property: The subject sold in August 2006 for \$1,000,000 or \$291.29 per square foot of living area and also sold in September 2005 for \$900,000 or \$262.16 per square foot of living area. Also included with the evidence submitted by the board of review was a printout from the Cook County Recorder of Deeds' office. The board also disclosed that comparable #3 sold in September 2005 for \$250,000, but this transaction appears to have been for the purpose of purchasing a site for new construction. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record does support a reduction in the subject's assessment.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. 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 of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). 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). After an analysis of the evidence in the record, the Board finds the appellant has met

this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in the record is the sale of the subject property in February 2009 for a price of \$290,000. The subject has a total assessment which reflects a market value of \$717,615 that is greater than the purchase price. The Board finds the board of review submitted equity comparables but did not refute the appellant's market value argument. The board of review provided two sale prices for the subject property but these sales occurred in September 2005 and August 2006. The Board gives more weight to the subject's February 2009 sale, because it occurred more proximate in time to the assessment date at issue. Moreover, the board of review provided no evidence to indicate that the subject's sale was not an arm's length transaction. Based on this record the Board finds the subject had a market value of \$290,000 as of the January 1, 2008 assessment date, and the 2008 three year average median level of assessment for class 2 property of 9.60% as determined by the Illinois Department of Revenue shall apply. (See 86 Ill.Admin.Code 1910.59(c)(2)).

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

*Shawn R. Lerbis*

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: May 20, 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.