



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

APPELLANT: William Selby
DOCKET NO.: 08-27201.001-R-1
PARCEL NO.: 15-12-431-071-1010

The parties of record before the Property Tax Appeal Board are William Selby, the appellant, by attorneys Lisa Perna and Richard J. Caldarazzo, of Mar Cal Law, 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 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: \$ 2,729
IMPR.: \$ 28,858
TOTAL: \$ 31,587

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2008 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a condominium located in a four-story building with 12 condominium units therein. The subject condominium is accorded an ownership percentage of 8.34%. The overall property has a 22,114 square foot site and is located in Proviso Township, Cook County. The subject is

classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales of units within the subject's building. The printouts reflect that the units sold from April, 2006, to August, 2007, for prices that ranged from \$285,000 to \$334,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$31,587. The subject's assessment reflects a market value of \$329,031 when applying the 2008 three year median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 9.60% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on five suggested comparable sales. The five units are the same sales used by the appellant as well as data relating to the subject's sale. The printouts relating to the four sales within the subject's condominium reflect that each was accorded an ownership percentage of 8.33%.

At hearing, the board of review's representative submitted BOR Hearing Exhibit #1 without objection from the appellant. This group Exhibit contains printouts from the Cook County Recorder of Deeds Office reflecting the subject's purchase in December, 2005, for a price of \$344,000. Further, a copy of the Illinois Real Estate Transfer Declaration was submitted which was signed by the appellant in this appeal. Lines 6 and 7 state that the property would be the principal residence of the buyer and that the property had been advertised for sale on the open market.

Conclusion of Law

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. 86 Ill.Admin.Code §1910.63(e). 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 *did not meet* this burden of proof and a reduction in the subject's assessment is *not warranted*.

The Board finds the best evidence of market value to be the four *comparable sales which were submitted by both parties in this appeal*. These comparables sold for prices ranging from \$285,000 to \$334,000, while containing an ownership percentage of 8.33%. The subject's assessment reflects a market value of \$329,031 with an ownership percentage of 8.34%, which is within the range established by these comparable sales. Based on this evidence, the Board finds a reduction in the subject's assessment *is not* justified.

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. Fen

Member

Tracy A. Huff

Member

JR

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 19, 2014

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.