



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

APPELLANT: Ruben Hernandez
DOCKET NO.: 09-22504.001-R-1 through 09-22504.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Ruben Hernandez, the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
09-22504.001-R-1	14-17-225-039-0000	12,908	0	\$12,908
09-22504.002-R-1	14-17-225-040-0000	7,924	0	\$7,924

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 2009 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 two adjacent vacant parcels with a combined land area of 6,546 square feet. The subject parcels are classified as a class 1-00 properties under the Cook

County Real Property Assessment Classification Ordinance
(hereinafter "Ordinance").¹

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales composed of vacant sites that ranged in size from 2,300 to 19,750 square feet of land area. The sales occurred from February 2006 to July 2009 for prices ranging from \$27,500 to \$350,000 or from \$11.96 to \$17.91 per square foot of land area. The appellant submitted a map noting the location of the comparable sales relative to the subject property. Using the map, the comparables appear to be located in excess of 5 miles from the subject parcels. The appellant requested the subject's combined land assessment be reduced to \$20,832.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,565. The subject's assessment reflects a market value of \$235,650 or \$36.00 per square foot of land area when applying the Ordinance level of assessment for class 1-00 property of 10%.

In the written narrative provided by the board of review it was noted that there were no direct sales within the subject's neighborhood. The statement further noted that the vacant land was valued at \$36.00 per square foot, the same price as improved land area.

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

The Board finds the best evidence of market value to be the appellant's comparable sales. These comparables sold for prices ranging from \$11.96 to \$17.91 per square foot of land area. The

¹ The appellant incorrectly indicated on the appeal form the subject had 13,020 square feet of building area. The Property Tax Appeal Board is accepting the size of the subject parcels as provided by the board of review.

subject's assessment reflects a market value of \$36.00 per square foot of land area, which is above the range established by the best comparable sales in this record. The Property Tax Appeal Board finds the board of review submitted no market data to support the contention that the subject's assessments were reflective of market value or to refute the appellant's overvaluation argument. Based on this evidence the Board finds a reduction in the subject's assessment is 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.



Chairman



Member



Member



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: December 19, 2014



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.