



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

APPELLANT: Paul Marinis
DOCKET NO.: 09-23630.001-R-1
PARCEL NO.: 10-22-320-038-0000

The parties of record before the Property Tax Appeal Board are Paul Marinis, 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:

LAND: \$4,590
IMPR.: \$36,730
TOTAL: \$41,320

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 is improved with a two-story multi-family building with 3,339 square feet of building area. The building is approximately 57 years old. Features of the building include four apartments and a full unfinished basement. The property has a 5,738 square foot site and is located in Skokie, Niles Township, Cook County. The subject is classified as a class 2-

11 property under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance").

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales. Based on the data submitted by the appellant six of the comparables are improved with two, three or four story buildings of frame or masonry construction. There was no photograph of comparable number seven that would have depicted the building's style and construction. The comparables ranged in size from 2,500 to 7,900 square feet of building area and had from two to six units. The buildings were constructed from 1904 to 1954 and ranged in age from 55 to 105 years old. The sales occurred from October 2006 to December 2009 for prices ranging from \$207,000 to \$725,000 or from \$58.81 to \$91.77 per square foot of building area or from \$69,000 to \$241,667 per unit, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$27,046.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,802. The subject's assessment reflects a market value of \$538,020 or \$161.13 per square foot of building area or \$134,505 per unit, including land, when applying the Ordinance level of assessment for class 2-11 property of 10%.

In support of its contention of the correct assessment the board of review submitted an equity analysis using four equity comparables. One comparable was reported to have sold in February 2006 for a price of \$620,000 or \$193.81 per square foot of building area or \$206,667 per unit, land included. The board of review also submitted a list of twenty sales with the same classification code and neighborhood code as the subject property.

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 appellant's comparable sales #1, #2, #4, #5, #6 and #7. Less weight was given appellant's comparable #3 and board of review comparable #3 as these sales occurred in 2006, not as proximate in time to the assessment date at issue. The best comparables sold from \$58.81 to \$89.57 per square foot of building area or from \$69,000 to \$110,500 per unit, including land, with five having a narrower range from \$93,333 to \$110,500 per unit. The subject's assessment reflects a market value of \$161.13 per square foot of building area and \$134,505 per unit, including land, which is above the range established by the best comparable sales in this record.

Little weight was given the board of review equity analysis because it did not address the appellant's overvaluation argument. Additionally, little weight was given the board of review's list of twenty sales due to the lack of descriptive data which precludes any meaningful comparative analysis.

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.

Ronald R. Crit

Chairman

K. L. F...

Member

Richard A. ...

Member

Mario ...

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: November 21, 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.