



**AMENDED AFTER REINSTATEMENT
FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Barbara Dennis
DOCKET NO.: 09-26608.001-C-1 through 09-26608.003-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Barbara Dennis, the appellant(s), by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
09-26608.001-C-1	25-03-207-030-0000	7,546	59,784	\$ 67,330
09-26608.002-C-1	25-03-207-031-0000	3,125	0	\$ 3,125
09-26608.003-C-1	25-03-207-032-0000	3,125	355	\$ 3,480

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject consists of a two-story building of masonry construction with 5,732 square feet of building area. The building is 96 years old. The property has a 10,275 square foot site, and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 5-92 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 evidence disclosing the subject property was purchased on November 3, 2009 for a price of \$55,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price. The appellant also submitted evidence of the subject's vacancy for tax year 2009.

The appellant also contends that the subject is improperly classified as a class 5-92 property. In support of this contention, the appellant submitted an affidavit stating that the subject was used for commercial purposes at the time of the purchase in November 2009, but has since been converted to only residential use. Therefore, the appellant requests that the subject's classification be modified to a class 2-09 property, and that the appropriate level of assessment be applied.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,935. The subject's assessment reflects a market value of \$295,740, or \$51.59 per square foot of building area, including land, when applying the 2009 statutory level of assessment for commercial property under the Cook County Real Property Assessment Classification Ordinance of 25.00%.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales from the CoStar Comps Service.

Prior to a decision on the merits, the parties reached an agreement as to the correct assessment for the subject for tax year 2009. This agreement was memorialized in a stipulation dated June 19, 2014, wherein the parties agreed that the subject's assessment for tax year 2009 was \$38,000. A fully executed copy of the stipulation was received by the Board on August 11, 2014. At the Board's monthly meeting on November 13, 2014, the Board issued a Final Administrative Decision, wherein the subject's assessment was reduced to reflect the stipulated assessment of \$38,000.

On December 17, 2014, the Board received a post-hearing motion from the appellant entitled, "Motion to Vacate Decision." In the motion, the appellant asserts that the Cook County Assessor issued a Certificate of Error for the subject, which reduced the

subject's assessment to \$35,934. Thus, the appellant requested that the Board vacate its Final Administrative Decision lowering the subject's assessment to \$38,000, and issue a revised Final Administrative Decision that makes no changes to the subject's assessment for tax year 2009. On January 6, 2015, the Board emailed this motion to the board of review for its consideration. The board of review did not respond to the motion. At its monthly Board meeting on January 13, 2015, the Board granted the appellant's "Motion to Vacate Decision," and the appeal was reinstated.

Conclusion of Law

In the "Motion to Vacate Decision," the appellant argues that the subject's assessment should not be changed because the Cook County Assessor has already issued a Certificate of Error for the subject. This request was not opposed by the board of review. Therefore, the Board finds that it is appropriate to revise the Board's prior decision regarding the subject's assessment for tax year 2009, and amend the subject's assessment to reflect a "no change." The Board makes no findings or conclusions regarding the merits of the appeal.

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: March 20, 2015



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.