



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

APPELLANT: Irene Mojica
DOCKET NO.: 09-29818.001-R-1
PARCEL NO.: 17-18-304-040-0000

The parties of record before the Property Tax Appeal Board are Irene Mojica, the appellant, by attorney Timothy C. Jacobs of Gary H. Smith PC 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: \$7,765
IMPR: \$37,235
TOTAL: \$45,000**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story multi-family dwelling of masonry construction. The dwelling is approximately 116 years old. The dwelling has 3,306 square feet of living area. Features include three apartment units and a full unfinished basement. The property has a 2,284 square foot site and is located in Chicago, West Chicago Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted information on three comparable sales described as two-story multi-family dwellings of masonry construction. The dwellings range in age from 14 to 84 years and in size from 2,116 to 3,561 square feet of living area. One of the comparables has the same neighborhood code as the subject property. The comparables are said to be located from 0.03 to 1.83 miles from the subject property. Each comparable has two or three apartment units. Two of the comparables have garages. One comparable has central air conditioning. The appellant did not disclose any information on the comparables' foundations. The comparables have sites ranging in size from 2,772 to 3,125 square feet of land area.

The comparables sold from February to October 2009 for prices ranging from \$395,000 to \$450,000 or from \$131,667 to \$211,000 per apartment unit. Based upon this evidence, the appellant's attorney determined that the subject should be valued at \$450,000 or \$150,000 per apartment unit. The appellant requested that the subject's total assessment should be reduced to \$45,000 to reflect the 10% ordinance level of assessment for Class 2 residential property in Cook County.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$51,867 was disclosed. The subject's assessment reflects a market value of \$582,775 or \$194,258 per apartment unit, when applying the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% as determined by the Illinois Department of Revenue. The board of review presented descriptions and assessment information on four equity properties but did not submit any substantive market value evidence. The board of review provided a list of twenty sale properties which sold from February 1991 through October 2007 for prices ranging from \$50,000 to \$570,000. However, descriptive evidence for these sale properties was not provided. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is warranted.

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 (3rd Dist. 2002); 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 only evidence of the subject's market value was submitted by the appellant. The Board finds the appellant's three sale comparables sold proximate in time to the January 1,

2009 assessment date. In addition, these comparables were masonry apartment buildings like the subject, and comparable #3 was very similar in location and size. Due to these similarities, the appellant's comparables received the most weight in the Board's analysis. The comparables sold from February to October 2009 for prices ranging from \$395,000 to \$450,000 or from \$131,667 to \$211,000 per apartment unit. The subject's assessment reflects a market value of \$582,775 or \$194,258 per apartment unit, which is above the range established by the comparable sales. The board of review did not submit any market value evidence to address or refute the evidence presented by the appellant. As a result, the Board finds the subject's improvement assessment is excessive and a reduction in the subject's assessment commensurate with the appellant's request is warranted.

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.



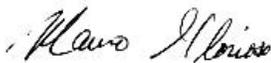
Chairman



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 21, 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.