



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

APPELLANT: Angelina Latek  
DOCKET NO.: 09-29831.001-R-1 through 09-29831.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Angelina Latek, the appellant(s); 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
09-29831.001-R-1	24-17-215-019-1005	670	4,336	\$5,006
09-29831.002-R-1	24-17-215-019-1017	167	1,502	\$1,669

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a class 2-99 residential condominium unit located in Worth Township, Illinois, Cook County. The subject property is a one bedroom and one bath unit within the subject's building with a 16% ownership interest. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this overvaluation argument, the appellant submitted a copy of an appraisal. The appellant submitted an appraisal undertaken by James E. Sloan of Accurate Services, Inc. The report indicates that James E. Sloan is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$75,000 as of January 1, 2009. The appraisal report utilized the sale comparison approach to estimate the market value for the subject property. The appraisal report included exterior photographs of the subject's improvement and comparables, a location map of the subject property and comparables, and a floor plan. The appraisal finds highest and best use in its present use.

The appraisal stated that the subject was improved with a 35+ year old, masonry, condominium dwelling containing 644 square feet of living area. The dwelling is in below average condition and in need of cosmetic repairs and updating. The appraiser

personally inspected the property and included a diagram of the floor plan.

Under the sales comparison approach, the appraiser analyzed the sale of five condominium units located within three miles of the subject. The properties contain between 644 and 792 square feet of living area. The comparables sold from January 2009 to April 2010 for prices ranging from \$59,000 to \$86,000 or from \$74.49 to \$139.60 per square foot of living area, including land. The remaining comparable is an active listing. Based on the similarities and differences of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach was \$59,000. Based upon this data, the appellant requested a reduction in the subject's market value.

The appraiser indicated that the sale comparison approach is typically the only approach employed regarding condominiums and therefore, the only approach employed in this appraisal in reconciling a final value estimate of \$75,000 for the subject property. Based upon this data, the appellant requested a reduction in the subject's market value.

At hearing, the appellant's son, Stan Latek, testified on behalf of his mother, the appellant. The appellant is not fluent in English and, therefore, needed her son to summarize and translate her evidence. The PTAB due to the appellant's language barrier permitted the appellant's son to testify on her behalf. At hearing, Mr. Latek testified that the 2009 appraised value of the subject is \$75,000 and that similar units in the subject's building have sold for less in the following years. In addition, Mr. Latek testified that he was the original developer of the subject property when it was converted from an apartment to condominium units and that the conversion was subject to mortgage fraud which resulted in units selling above their market value. Mr. Latek testified that many units in the subject's building were abandoned by their owners and condominium association fees were also not paid.

In support of the subject's assessment the board of review analyst, Michael Terebo, testified that comparables utilized by the board are "stronger evidence" of value as of 2009 and that the appraisal includes sale comparables that are located almost three miles from the subject.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$12,391 was disclosed. This assessment reflects a market value of \$139,225 using the Illinois Department of Revenue's 2009 three-year median level of assessment for class 2 property of 8.90%. In support of the subject's assessment, the board of review also submitted a memo from Matt Panush, Cook County Board of Review Analyst. The memorandum shows that two residential units sold within the subject's building sold in 2006 for a total of \$267,000. An allocation of two percent per unit for personal property was

subtracted from the aggregate sales price then divided by the percentage of interest of units sold to arrive at a total market value for the building of 1,422,065, The subject's percentage of ownership, 16%, was then utilized to arrive at a value for the subject unit of \$227,530. The board also submitted a grid listing for each unit in the building: the property identification number, the percentage of ownership; the assessment; and sales data and prices of units sold in 2006. As a result of its analysis, the board requested confirmation of the subject's assessment.

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.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill. Admin. Code 1910.65(c). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the Board finds that best evidence is the appellant's appraisal. The Board finds this appraisal to be persuasive because the appraiser personally inspected the interior and exterior of the subject property, and utilized market data to obtain sale comparables while providing sufficient detail regarding each sale in estimating the subject's market value.

Therefore, the Board finds that the subject property contained a market value of \$75,000 for the tax year 2009. Since the market value of the subject has been established, the median level of assessment as determined by the Illinois Department of Revenue's 2009 three year median for class 2, residential property of 8.90% will apply. In applying this level of assessment to the subject, the total assessed value is \$6,675 while the subject's current total assessed value is above this amount at \$12,391. Therefore, the Board finds that a reduction 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.



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Chairman



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Member



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Member



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Member



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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 21, 2012



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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.