



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

APPELLANT: Joseph Marino  
DOCKET NO.: 10-29030.001-R-1  
PARCEL NO.: 13-22-105-034-0000

The parties of record before the Property Tax Appeal Board are Joseph Marino, the appellant, by attorney Christopher G. Walsh, Jr. of 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:

**LAND: \$8,064  
IMPR.: \$36,522  
TOTAL: \$44,586**

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) contesting the assessment for the 2010 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 dwelling of masonry construction with 2,592 square feet of living area. The building is approximately 38 years old. Features of the property include two units, a full basement with a recreation room and a detached two-car garage. The property has a 5,040 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a

class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 22, 2008 for a price of \$325,000 or \$125.39 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$32,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$44,586. The subject's assessment reflects a market value of \$445,860 or \$172.01 per square foot of living area, land included, when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2 property of 10%.

In rebuttal the board of review provided a documentation disclosing that a *lis pendens* had been placed on the property at some point.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. The comparables had the same classification code and neighborhood code as the subject property. The comparables were improved with two-story dwellings of masonry or frame construction that ranged in size from 2,340 to 2,922 square feet of living area. The buildings ranged in age from 88 to 109 years old. These properties sold from February 2007 to June 2008 for prices ranging from \$475,000 to \$625,000 or from \$162.56 to \$252.63 per square foot of living area, including land.

#### 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted information that the subject was purchased in December 2008 for a price of \$325,000. As evidence of the sale the appellant submitted a copy of a Quitclaim Deed. On the appeal the appellant indicated the parties were not related but failed to indicate whether or not the property was sold by a Realtor, failed to indicate whether or not the property was advertised for sale and failed to indicate how long the property was advertised for sale, if at all. Furthermore, the appellant failed to submit a copy of the sales contract, the settlement statement or the PTAX-203 Illinois Real Estate Transfer Declaration which may have provided evidence concerning the circumstances surrounding the transaction. The Board finds the appellant failed to establish the subject's sale had the elements of an arm's-length transaction reflective of fair cash value.

The Board finds the board of review submitted information on four comparable sales that sold for prices ranging from \$162.56 to \$252.63 per square foot of living area, including land. These sales tend to indicate the subject's transaction for a price of \$125.39 per square foot of living area, including land, is not reflective of fair cash value. Furthermore, the subject's assessment reflecting a market value of \$172.01 per square foot of living area, including land, is within the range established by the board of review comparable sales. Based on this record the Board finds a reduction in the subject's assessment is not 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. Fan*

Member

*Richard A. Huff*

Member

*Mark A. Lewis*

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: February 20, 2015

*A. Portol*

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.