



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

APPELLANT: Alexander Brodsky
DOCKET NO.: 07-23303.001-R-1
PARCEL NO.: 10-28-221-030-1052

The parties of record before the Property Tax Appeal Board are Alexander Brodsky, 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:

LAND: \$2,219
IMPR.: \$22,018
TOTAL: \$24,237

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a condominium unit with an allocation of 1.3474% of the ownership of the six-story, 68 unit residential condominium building. The appellant argued unequal treatment in the assessment process as the basis of the appeal.

In support of this argument, the appellant submitted a grid highlighted containing descriptions and assessment information on three units located in the subject's building. These properties are described as being the same style units, but on a different floor from the subject property within the building. They range in assessment from \$23,075 to \$24,570 with the subject assessed at \$24,945. In addition, the appellant submitted the floor plan for the subject property and asserted it's the floor plan for the suggested comparables as well. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's land assessment of \$24,945 was

disclosed. 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 13 units or 18.4189% of ownership within the subject's building sold between 2004 and 2007 for a total of \$3,451,053. An allocation of 2% per unit was subtracted from the sale price for personal property to arrive at a total market value for the building of \$18,361,769. The subject's percentage of ownership, 1.3474%, was then utilized to arrive at a value for the subject unit of \$247,406. The board also submitted several grids listing for each unit in the building: the property identification number; the percentage of ownership; the assessment; the increase in the assessment; and sales dates and prices of units that sold between 2004 and 2007. As a result of its analysis, the board 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 unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has met this burden.

In previous decisions, this PTAB has recognized it is the practice in Cook County when assessing condominiums to utilize the percentage of ownership, as contained in the condominium declaration, as the factor to pro-rate assessments to individual unit owners. In the instant cause, the board of review has supplied the percentage of ownership for all the units located within the subject's building. This evidence shows the subject has a 1.3474% and the suggested comparables have between 1.2828% and 1.3659% of ownership. The subject property has a lower percentage of ownership than one comparable submitted by the appellant; however, the assessment for the subject is greater than this comparables. Using the Cook County's policy of assessing condominium units, a lower percentage of ownership would dictate a lower assessed value.

As a result of this analysis, the PTAB further finds that the appellant has adequately demonstrated that the subject was inequitably assessed by clear and convincing evidence and 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.



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: February 18, 2011



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.