



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

APPELLANT: 427 Ridge Ave. Condominium Assn.
DOCKET NO.: 08-21282.001-R-1 through 08-21282.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 427 Ridge Ave. Condominium Assn., the appellant(s), by attorney Jason T. Shilson, of O'Keefe Lyons & Hynes, LLC 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
08-21282.001-R-1	11-30-102-011-1001	2,999	41,996	\$44,995
08-21282.002-R-1	11-30-102-011-1002	2,999	41,996	\$44,995
08-21282.003-R-1	11-30-102-011-1003	3,000	42,009	\$45,009

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 2008 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 consists of a 3 unit residential condominium building. The property is a class 2-99 residential condominium under the Cook County Real Property Assessment

Classification Ordinance (hereinafter "Ordinance") and is located in Evanston, Evanston Township, Cook County. Class 2-99 property has an Ordinance level of assessment of 9.60% for the 2008 tax year.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted sales information for 2 sales comparables located in same building as the subject. The comparables sold in April 2002 and April 2003 for \$405,000 to \$532,000, respectively. In support, the appellant submitted information regarding each unit's percentage of ownership in the common elements, assessed values, and the subject's Declaration and By-laws.

In addition, the appellant submitted equity information regarding one property located adjacent to the subject property. The appellant's petition states that the subject is comparable in building and land size, and age. In support, the appellant submitted an affidavit attesting that the adjacent building to subject is "almost identical in age and construction" but was converted at a different time. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's combined total assessment of \$542,977 was disclosed. The subject's assessment reflects a market value of \$5,656,010 when applying 2008 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 9.60% as determined by the Illinois Department of Revenue.

In support of the assessment, the board of review submitted an analysis prepared by Matt Panush, an analyst with the Cook County Board of Review. He indicated the total consideration for the sale of one residential unit in the subject's condominium in April 2003 was \$532,000. The analyst deducted \$10,000 of the total sales prices from the total consideration to account for personal property to arrive at a total adjusted consideration of \$522,000. Dividing the total adjusted consideration by the percentage of interest of ownership in the condominium for the unit that sold of 33.34% indicated a full value for the condominium property of \$1,565,686. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of assessment equity to be appellant's sole comparable. The Board finds that appellant's comparable is similar to the subject in building size, age, location, and classification. The appellant's one similar comparables does not constitute a range. Therefore, the Board finds the appellant failed to meet his burden and reduction is not warranted.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

The Board finds that the two units in the subject building sold five and six years prior to the 2008 lien date and thus, do not accurately reflect the subject's 2008 market value. Therefore, the Board finds this argument unpersuasive.

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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.

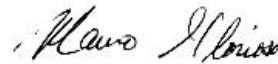
Chairman



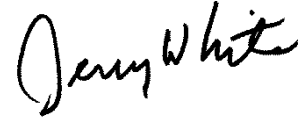
Member



Member



Member



Acting 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: June 26, 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.