



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

APPELLANT: Walter Saranecki
DOCKET NO.: 09-26177.001-R-1 through 09-26177.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Walter Saranecki, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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
09-26177.001-R-1	13-34-125-032-0000	5,040	16,265	\$21,305
09-26177.002-R-1	13-34-125-033-0000	10,080	32,530	\$42,610
09-26177.003-R-1	13-34-125-034-0000	5,040	16,265	\$21,305

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 2009 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 96 years old, and consists of a three-story, mixed-use building of masonry construction containing three separate and distinct condominium units. The building

contains 17,688 square feet. Each unit has its own property index number (PIN). The first floor unit (PIN 032) is utilized as a banquet hall. The second and third floor units (PINs 033 & 034) are residential apartments. The entire subject property has a 3,150 square foot site and is located in Jefferson Township, Cook County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the entire subject property containing three condominium units had a market value of \$640,000 as of January 1, 2009. The appraisal report disclosed the first floor unit is a banquet hall; the second and third floors contained residential apartments. Five comparables were used for the sales approach. Each comparable was a mixed-use building containing a first-floor commercial usage and residential upper floors. Each of the five mixed-use sale comparables was for a building with one PIN, although each building contained multiple units utilized for commercial and residential purposes.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessments for each of the condominium units of: \$21,305 for the first floor unit (PIN 032), \$42,610 for the second floor unit (PIN 033), and \$21,305 for the third floor unit (PIN 034). According to the evidence submitted by the board of review, the assessments reflect market values of: \$239,382 for PIN 032, \$478,764 for PIN 033, and \$239,382 for PIN 034 when applying the 2009 three-year median level of assessment of 8.90% for class 2 property as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted descriptive and assessment data on three suggested equity comparables for the first floor unit (PIN 032). The board of review did not submit comparables for the other two condominium units.

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 Board gives no weight to the conclusions and opinions offered by the appraiser. The subject property consists of three separate condominium units, each with its own PIN. As such, each unit possesses unique property characteristics, property rights, and marketability apart from each of the other condominium units. The appraisal report did not address these factors, but disclosed that the five comparables used were only for mixed-use, non-condominium buildings. Accordingly, the appellant neither submitted a sufficient number of comparables for mixed-use buildings containing separate and distinct condominium units and property rights to establish a range, nor adjusted comparable sales data for each of the three condominium units in the building.

Based on this record, the Board finds the subject's assessment is reflective of market value and 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.

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: May 22, 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.