



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

APPELLANT: Mo Rihai  
DOCKET NO.: 10-22815.001-C-1 through 10-22815.005-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Mo Rihai, the appellant(s), by attorney Richard J. Caldarazzo, of Mar Cal Law, 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
10-22815.001-C-1	14-06-120-006-1008	840	10,693	\$11,533
10-22815.002-C-1	14-06-120-006-1010	936	11,923	\$12,859
10-22815.003-C-1	14-06-120-006-1011	960	12,232	\$13,192
10-22815.004-C-1	14-06-120-006-1015	936	11,923	\$12,859
10-22815.005-C-1	14-06-120-006-1003	960	12,232	\$13,192

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 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 consists of five condominium units within a 79-year old, 23 unit, condominium building. The property is located in Lake View Township, Cook County. The property is a class 2-99 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 an attorney's brief and evidence disclosing that nine units within the condominium sold between September 2007 and June 2010 for a total of \$1,793,500. These units sold individually from \$73,000 to \$258,000. The attorney's brief deducted \$89,675 or 5% from the total sale price to account for personal property to arrive at a total adjusted consideration of \$1,703,825. Dividing the total adjusted consideration by the percentage of ownership in the condominium for the units that sold of 41.42% indicated a full value for the condominium property of \$856,849. When applying the percentage of ownership for the subject units of 20.83% the board of review estimated the full value of these units at \$178,482.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject units of \$63,635. These assessments reflects a market value of \$711,801 using the Illinois Department of Revenue's 2010 three-year median level of assessment for class 2 property of 8.94%. The assessed market value for each unit ranges from \$129,004 to \$147,562.

In support of the assessment the board of review submitted information disclosing that two units within the condominium sold in 2007 and 2010 for a total of \$265,000. These units sold individually for \$192,000 and \$73,000. The analyst deducted \$5,300 or 2% from the total sale price to account for personal property to arrive at a total adjusted consideration of \$259,700. Dividing the total adjusted consideration by the percentage of ownership in the condominium for the units that sold of 8.112% indicated a full value for the condominium property of \$3,201,429. When applying the percentage of ownership for one subject unit of 4.317% the board of review estimated a value for each subject unit of \$138,206.

At hearing, the appellant's attorney rested on the evidence previously submitted. In response to Board questions, the appellant's attorney indicated the 5% deduction value was an arbitrary number used and she had no information on personal property included in the sales.

The board of review's representative, Jose Rodriguez, rested on the evidence previously submitted. In response to Board questions, the appellant's attorney indicated the 2% deduction value was an arbitrary number.

#### **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 best evidence of market value to be the the comparables submitted by both parties of sales of the units within the building. These units sold from September 2007 to June 2010 for prices ranging from \$73,000 to \$258,000 per unit. The Board gives no weight to the personal property deductions as neither party proved that personal property was included in the sales and both indicated that they chose arbitrary values. In comparison, the appellant units have assessments that reflect market values from \$129,004 to \$147,562 which is within the range established by the sales. Based on the evidence and testimony, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject units are overvalued and a reduction in the 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.

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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



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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: March 18, 2016



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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.