



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

APPELLANT: 1213-1215 East 53rd St Condo Assoc
DOCKET NO.: 10-27147.001-R-1 through 10-27147.006-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1213-1215 East 53rd St Condo Assoc, the appellant(s), by attorney Frank G. Avellone in Chicago, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-27147.001-R-1	20-11-413-019-1001	4,406	14,623	\$19,029
10-27147.002-R-1	20-11-413-019-1002	4,406	14,623	\$19,029
10-27147.003-R-1	20-11-413-019-1003	4,406	14,623	\$19,029
10-27147.004-R-1	20-11-413-019-1004	4,406	14,623	\$19,029
10-27147.005-R-1	20-11-413-019-1005	4,957	16,451	\$21,408
10-27147.006-R-1	20-11-413-019-1006	4,957	16,451	\$21,408

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 a three-story, six-unit, residential condominium building that contains 11,793 square feet of living area. Units 1001 through 1004 each contain 1,887 square feet of living area and they each have a 16% ownership interest in the condominium building as a whole. Units 1005 and 1006 each contain 2,123 square feet of living area and each unit has an 18% ownership interest in the whole. The subject building is 94 years old and it is located in Lake Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$166,462. The subject property has an improvement assessment of \$138,924. Units 1001 through 1004 each have an improvement assessment of \$22,228, or \$11.78 square foot of living area. Units 1005 and 1006 each have an improvement assessment of \$25,006, or \$11.78 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on two recent sales within the subject condominium building. The board's condominium sales analysis used the total sale price of the two recently sold units of \$581,000. A personal property deduction of 2% was deducted from this amount resulting in a total adjusted sale price of \$569,380. The board then divided this amount by the total percentage of ownership sold of 32%, resulting in a full market value for the subject building of \$1,779,312. Based on this analysis, the board requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued that the subject's assessment should be reduced based on the appellant's equity comparables. In support of this position, Mr. Robert Channon, a unit owner in the subject building, testified that there are two six unit residential condominium buildings located next to the subject building that are identical to the subject building. These buildings are listed on the appellant's grid sheet as Comparables #1 and #2. These comparables have improvement assessments of \$6.68 and \$8.79 per square foot of living area, respectively. The appellant also submitted a third comparable. Comparable #3 contains 18 units; however, the eighteen units are

comprised of three groups of six unit condominiums. Comparable #3 has an improvement assessment of \$9.34 per square foot of living area.

The board of review's representative reviewed the previously submitted sales analysis and stated that the recent sales in the subject building support the subject's assessment. The board representative also indicated that appellant's comparable #3 contains 18 units while the subject contains 6 units.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of assessment equity to be appellant's comparables. These comparables had improvement assessments that ranged from \$6.68 to \$9.34 per square foot of living area. The subject's improvement assessment of \$11.78 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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.