



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

APPELLANT: Historic Manor Condo Association  
DOCKET NO.: 11-20487.001-R-1 through 11-20487.020-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Historic Manor Condo Association, the appellant, by attorney Whitney T. Carlisle, of McCracken, Walsh & de LaVan 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
11-20487.001-R-1	16-07-116-015-1001	647	21,496	\$22,143
11-20487.002-R-1	16-07-116-015-1002	647	21,496	\$22,143
11-20487.003-R-1	16-07-116-015-1003	647	21,496	\$22,143
11-20487.004-R-1	16-07-116-015-1004	162	5,383	\$ 5,545
11-20487.005-R-1	16-07-116-015-1005	647	21,496	\$22,143
11-20487.006-R-1	16-07-116-015-1006	647	21,496	\$22,143
11-20487.007-R-1	16-07-116-015-1007	647	21,496	\$22,143
11-20487.008-R-1	16-07-116-015-1008	314	10,429	\$10,743
11-20487.009-R-1	16-07-116-015-1009	647	21,496	\$22,143
11-20487.010-R-1	16-07-116-015-1010	647	21,496	\$22,143
11-20487.011-R-1	16-07-116-015-1011	647	21,496	\$22,143
11-20487.012-R-1	16-07-116-015-1012	293	9,757	\$10,050
11-20487.013-R-1	16-07-116-015-1013	647	21,496	\$22,143
11-20487.014-R-1	16-07-116-015-1014	647	21,496	\$22,143
11-20487.015-R-1	16-07-116-015-1015	647	21,496	\$22,143
11-20487.016-R-1	16-07-116-015-1016	293	9,757	\$10,050
11-20487.017-R-1	16-07-116-015-1017	647	21,496	\$22,143
11-20487.018-R-1	16-07-116-015-1018	647	21,496	\$22,143
11-20487.019-R-1	16-07-116-015-1019	647	21,496	\$22,143
11-20487.020-R-1	16-07-116-015-1020	334	11,102	\$11,436

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 2011 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 20 residential condominium units contained in a 108 year-old, three-story, 20-unit residential condominium building of masonry construction. The building is commonly known as Historic Manor Condominium Association (hereinafter "the Condo Association"). Each unit is designated by individual Property Index Numbers 1001 through 1020 (hereinafter, "PIN"). The property has a 17,100 square foot site and is located in Oak Park Township, Cook County. The subject is classified as a Class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

**Appellant's Case-in-Chief Evidence**

Owners of some of the units had filed appeals before the Cook County Board of Review as *pro se* appellants. In the instant appeal before the Property Tax Appeal Board (hereinafter "the Board"), the attorney of record filed on behalf of each condominium unit in the Condo Association.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a brief in which it applied a condominium analysis suggesting the subject's market value was \$3,833,982. The appellant based this analysis on six sales comparables from 2007 through 2010 and three listings without further information as to whether these listings resulted in closed sales. These sales comparables were listed in the appellant's spreadsheet. The units that sold were designated: PIN 1004 (sold in 2008), PIN 1006 (sold in 2009), PIN 1010 (sold in 2007), PIN 1011 (sold in 2007), PIN 1012 (sold in 2010), and PIN 1015 (sold in 2007). The appellant subtracted a suggested \$5,000 for personal property from each unit to arrive at a full market value of the subject of \$3,833,982.

The appellant also submitted an appraisal for the unit designated PIN 1015, estimating that unit had a market value of \$179,000 as of September 10, 2010. The appraisal report was based on and disclosed three comparable properties that sold in 2010 for prices ranging from \$173,000 to \$211,000. One of the sale comparables, disclosed as Unit #2, was one of the subject units. The appellant submitted a spreadsheet of sales of units in the subject. The spreadsheet disclosed that Unit #2 was also designated PIN 1006. It sold for the price of \$180,000.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

### **Board of Review's Evidence**

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$437,454. The subject's assessment reflects a market value of \$4,609,631 when applying the 2011 three-year average median level of assessment of 9.49% 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 a condominium analysis with information on suggested comparable sales for two units, designated PINs 1004 and 1006, in the building that sold from 2008 through 2009 for a total of \$317,000. The board of review applied a 2.00% market value reduction to the subject for personal property without further evidence to arrive at a full market value of \$310,660 of the two units sold. The board of review disclosed the units sold consisted of 7.287% of all units in the building. The result was a full value of the property at \$4,263,208. Since the subject was 100.00% of all the units in the building, the board of review suggested the market value of the subject to be \$4,263,208.

### **Appellant's Rebuttal Evidence**

In rebuttal, the appellant filed a brief arguing that the evidence submitted by the board of review erred in not accurately listing the final revised total 2011 assessments for each unit. The appellant further argued that the board of review's final total assessments for those units not represented by the attorney of record for the instant appeal before the

Board should receive equitable assessment reductions. The appellant reaffirmed the request for an assessment reduction for each of the 20 units in the subject.

### Conclusion of Law

The appellant raised an assessment inequity argument in its rebuttal brief. This argument was not raised in its initial pleading on appeal before the Board. "A party to the appeal shall be precluded from submitting its own case in chief in the guise of rebuttal evidence." 86 Ill.Admin.Code §1910.66(c). Consequently, the Board shall not consider the appellant's assessment inequity argument.

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

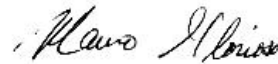
The Board finds the appellant's condominium analysis relied in part on properties that were only listed for sale and in part on sales that occurred more than three years prior to the tax lien year. Proof of market value based on sales comparisons consists of documentation of **recent sales** [emphasis added]. See 86 Ill.Admin.Code §1910.65 (c)(4). However, the recent sales disclosed in the entire record are relevant evidence to establish market value. The appellant's evidence disclosed information that three of the sales submitted occurred from 2008 through 2010 (PINs 1004, 1006 and 1012). PIN 1004 sold for \$137,000; PIN 1006 sold for \$180,000; and PIN 1012 sold for \$135,000. The evidence submitted by the board of review also disclosed the same recent sales of PINs 1004 and 1006. The Board also finds the recent appraisal report submitted by the appellant to be relevant evidence of market value because the report pertained to the unit designated PIN 1015. The appraiser estimated the subject property had a market value of \$179,000 as of September 10 2010.

The Board finds that the three recent sales of units (PINs 1004, 1006 and 1012) and the appraisal of the unit designated PIN 1015 establish the basis for determining the market value of the

subject. Those four units comprise 15.7594% of all the units in the subject. Therefore, the full market value of the 20-unit subject property is \$4,003,960. Since market value has been determined, the 2011 three-year average median level of assessment of 9.49% for Class 2 property as determined by the Illinois Department of Revenue shall apply (86 Ill.Admin.Code §1910.50(c)(2)) to each of the 20 units in the subject in the same percentages of ownership that correspond to each unit as disclosed in the evidence submitted.

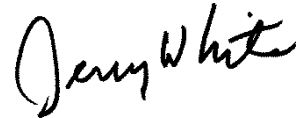
This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.

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Chairman



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Member

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Member



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Member

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Acting 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: January 22, 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.