



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

APPELLANT: 4829 N. Winthrop Condo Association
DOCKET NO.: 11-20743.001-R-1 through 11-20743.004-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 4829 N. Winthrop Condo Association, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd 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
11-20743.001-R-1	14-08-415-053-1001	3,775	32,754	\$36,529
11-20743.002-R-1	14-08-415-053-1002	3,934	34,133	\$38,067
11-20743.003-R-1	14-08-415-053-1003	4,053	35,167	\$39,220
11-20743.004-R-1	14-08-415-053-1004	4,133	35,857	\$39,990

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 four residential condominium units contained in a four year-old, three-story residential condominium building of masonry construction. Each unit is assigned its own Property Index Number, which number 1001 through 1004. The property has a 4,416 square foot site and 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 contends assessment inequity and overvaluation as the bases of the appeal. In support of these arguments, the appellant submitted information on four suggested equity comparables, each with sales data. As to the subject, the appellant's Grid Analysis disclosed the condo sizes ranged from "1,400-1,500 sf (5,900 sf total)." The appellant did not submit further information regarding the specific living area sizes of each of the four units in the subject, but calculated \$23.38 per square foot of living area for its inequity argument and "\$253.78-\$266.60" per square foot of living area including land for its overvaluation argument. The four comparables submitted by the appellant contained from 2,300 to 2,700 square feet of living area, were for individual condominium units and were situated on land sites from 7,484 to 7,494 square feet of land. They sold from 2007 through 2010.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$153,806. The subject property has an improvement assessment of \$137,911. The subject's assessment reflects a market value of \$1,620,717 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 one unit in the building that sold in 2006 for a total of \$430,000. 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 \$421,400 of the one unit sold. The board of review disclosed the units sold consisted of 26.00% of all units in the building. The result was a full value of the property at \$1,620,769. 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 \$1,620,769.

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 appellant also 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 the burden of proof for its assessment inequity and overvaluation arguments. The Board finds the appellant failed to submit, for either argument, sufficient evidence of the similarity of the comparables to each of the four condominium units contained in the subject. The appellant submitted the same four comparables for each argument. The most evidence the appellant submitted regarding living area was an estimated range from 1,400 to 1,500 square feet. The appellant's calculation of an implied assessment of \$23.38 per square foot of living area for its equity argument and of "\$253.78-\$266.60" per square foot of living area including land for its overvaluation argument are based on an assumed 5,900 square feet living area. In contrast, the comparables submitted by the appellant range from 2,300 to 2,700 square feet of living area and, based on the appellant's evidence, are for comparable properties for individual condominium units. Therefore, the Board finds that the comparables submitted by the appellant are not sufficiently similar to the subject.

Based on this record, the Board finds 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



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



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.