



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

APPELLANT: 7320 N. Ridge Blvd., Condo. Assn  
DOCKET NO.: 11-20756.001-R-2 through 11-20756.046-R-2  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 7320 N. Ridge Blvd., Condo. Assn, the appellant, by attorney Steven B. Pearlman, of Steven B. Pearlman & Associates 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
11-20756.001-R-2	11-30-307-224-1001	1,604	4,255	\$5,859
11-20756.002-R-2	11-30-307-224-1002	1,618	4,291	\$5,909
11-20756.003-R-2	11-30-307-224-1003	1,514	4,017	\$5,531
11-20756.004-R-2	11-30-307-224-1004	1,625	4,310	\$5,935
11-20756.005-R-2	11-30-307-224-1005	1,604	4,255	\$5,859
11-20756.006-R-2	11-30-307-224-1006	1,618	4,291	\$5,909
11-20756.007-R-2	11-30-307-224-1007	1,597	4,237	\$5,834
11-20756.008-R-2	11-30-307-224-1008	1,618	4,291	\$5,909
11-20756.009-R-2	11-30-307-224-1009	1,597	4,237	\$5,834
11-20756.010-R-2	11-30-307-224-1010	1,618	4,291	\$5,909
11-20756.011-R-2	11-30-307-224-1011	1,625	4,310	\$5,935
11-20756.012-R-2	11-30-307-224-1013	1,514	4,017	\$5,531
11-20756.013-R-2	11-30-307-224-1014	1,625	4,310	\$5,935
11-20756.014-R-2	11-30-307-224-1015	1,618	4,291	\$5,909
11-20756.015-R-2	11-30-307-224-1016	1,625	4,310	\$5,935
11-20756.016-R-2	11-30-307-224-1017	1,625	4,310	\$5,935
11-20756.017-R-2	11-30-307-224-1018	1,625	4,310	\$5,935
11-20756.018-R-2	11-30-307-224-1019	1,618	4,291	\$5,909
11-20756.019-R-2	11-30-307-224-1020	1,611	4,298	\$5,909
11-20756.020-R-2	11-30-307-224-1021	1,618	4,291	\$5,909
11-20756.021-R-2	11-30-307-224-1022	1,618	4,291	\$5,909

11-20756.022-R-2	11-30-307-224-1023	1,618	4,291	\$5,909
11-20756.023-R-2	11-30-307-224-1025	1,618	4,291	\$5,909
11-20756.024-R-2	11-30-307-224-1026	2,441	6,474	\$8,915
11-20756.025-R-2	11-30-307-224-1027	1,514	4,017	\$5,531
11-20756.026-R-2	11-30-307-224-1028	1,625	4,310	\$5,935
11-20756.027-R-2	11-30-307-224-1029	1,631	4,329	\$5,960
11-20756.028-R-2	11-30-307-224-1030	1,625	4,310	\$5,935
11-20756.029-R-2	11-30-307-224-1031	1,625	4,310	\$5,935
11-20756.030-R-2	11-30-307-224-1032	1,625	4,310	\$5,935
11-20756.031-R-2	11-30-307-224-1033	1,618	4,291	\$5,909
11-20756.032-R-2	11-30-307-224-1034	1,618	4,291	\$5,909
11-20756.033-R-2	11-30-307-224-1035	1,618	4,291	\$5,909
11-20756.034-R-2	11-30-307-224-1036	1,618	4,291	\$5,909
11-20756.035-R-2	11-30-307-224-1037	1,618	4,291	\$5,909
11-20756.036-R-2	11-30-307-224-1038	2,427	6,437	\$8,864
11-20756.037-R-2	11-30-307-224-1039	470	1,247	\$1,717
11-20756.038-R-2	11-30-307-224-1040	470	1,247	\$1,717
11-20756.039-R-2	11-30-307-224-1041	470	1,247	\$1,717
11-20756.040-R-2	11-30-307-224-1042	470	1,247	\$1,717
11-20756.041-R-2	11-30-307-224-1043	470	1,247	\$1,717
11-20756.042-R-2	11-30-307-224-1044	470	1,247	\$1,717
11-20756.043-R-2	11-30-307-224-1045	470	1,247	\$1,717
11-20756.044-R-2	11-30-307-224-1046	470	1,247	\$1,717
11-20756.045-R-2	11-30-307-224-1047	470	1,247	\$1,717
11-20756.046-R-2	11-30-307-224-1048	470	1,247	\$1,717

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 46 condominium units, of which 36 were residential condominium units and ten were condominium parking units, contained in a 48-unit condominium building. Each unit in the building has its own Property Index Number (PIN), numbered 1001 through 1048. Two units, PINs 1012 and

1024, are not under appeal. The property is located in Rogers Park Township, Cook County. The subject is classified as 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 a Real Estate Closing Statement and an Escrow Trust Disbursement Statement disclosing the 46 units under appeal were purchased on September 30, 2011 for the price of \$2,549,000. The appellant also submitted a condominium analysis with information on that sale. The evidence included a spreadsheet that disclosed the percentages of ownership of each of the 46 units in the subject. The appellant applied a 10.00% market value reduction to the subject for personal property without further evidence to arrive at an adjusted market value of \$2,294,100 of the 46 units sold. The appellant disclosed the units sold consisted of 92.96% of all units in the building. The result was a full value of the property at \$2,467,836. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The appellant rented the 46 units and submitted a brief and a rent roll in support of its overvaluation argument based on an attorney developed income analysis. The appellant argued that the gross potential income was \$352,500, reduced by a 10.00% factor for vacancy and collections for an effective gross income of \$317,250. The appellant deducted 30.00% for expenses and applied a loaded capitalization rate of 12.127% to derive at a market value of \$1,831,244. The appellant did not submit evidence of gross potential income, specific expenses or data in support of the assumption of a loaded capitalization rate of 12.127% and an expense reduction of 30.00%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$366,522. The subject's assessment reflects a market value of \$3,862,192 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 sales for three units in the building. These units were: PIN 1011 which sold in 2011 for \$104,687; PIN 1012 which sold in 2011 for \$157,247; and PIN 1024 which sold in

2011 for \$156,381. The PIN 1011 unit was one of the 46 units purchased by the appellant and disclosed in its evidence. The total of these three sales was \$418,315. 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 \$409,949 of the three units sold. The board of review disclosed the units sold consisted of 9.39% of all units in the building. The result was a full value of the property at \$4,365,804. The board of review did not apply a factor for the percentage of the appellant's ownership in the entire building.

### Conclusion of Law

The Board finds no merit to the appellant's overvaluation argument based on an income/expense analysis.

In Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d 428 (1970), the court stated:

[I]t is clearly the value of the "tract or lot of real property" which is assessed, rather than the value of the interest presently held by the owner... [R]ental income may of course be a relevant factor. However, it cannot be the controlling factor, particularly where it is admittedly misleading as to the fair cash value of the property involved... [E]arning capacity is properly regarded as the most significant element in arriving at "fair cash value"... [M]any factors may prevent a property owner from realizing an income from property which accurately reflects its true earning capacity; but it is the capacity for earning income, rather than the income actually derived, which reflects "fair cash value" for taxation purposes.

*Id.* at 430-31.

Actual expenses and income can be useful when shown that they are reflective of the market. Although the appellant made this argument, the appellant did not demonstrate that the subject's actual income and expenses are reflective of the market. To demonstrate or estimate the subject's market value using income, one must establish, through the use of market data, the market rent, vacancy and collection losses, and expenses to arrive at a

net operating income reflective of the market and the property's capacity for earning income. The appellant did not provide such evidence and, therefore, the Board gives this argument no weight.

The appellant also contends the market value of the subject property is not accurately reflected in its assessed valuation based on its condominium analysis. 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 that each of the sales submitted by both parties occurred in 2011 and are, therefore, relevant recent sales. When adding the recent sales of PINs 1012 and 1024, disclosed in the board of review's evidence, to the 46 recent sales under appeal and disclosed in the appellant's evidence, the result is a recent sale of each of the 48 units contained in the entire building. The sales of the 46 units disclosed by the appellant totaled \$2,549,000; the sales of PINs 1012 and 1024 disclosed by the board of review totaled \$313,628. The sale of PIN 1011 was disclosed by both the appellant and board of review in their evidence and is added to the total of the recent sales prices only once. The grand total of recent sales of all units was \$2,862,628. However, the Board does not reduce the market value of any of the units sold for personal property by any factor since there is no evidence in support of this reduction. The Board finds that the appellant's ownership in the entire building is 92.96%. Therefore, based on this record the Board finds the full value of the entire building to be \$2,862,628 and the subject property consisting of 46 units to have a market value of \$2,661,099 as of January 1, 2011. The Board finds that a reduction in the subject's assessment is justified. 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 46 units in proportion to their respective percentages of ownership in the building.

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



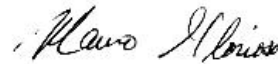
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DISSENTING: \_\_\_\_\_

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: February 19, 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.