



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

APPELLANT: Kirby Condominium Assoc
DOCKET NO.: 11-31832.001-R-2 through 11-31832.056-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Kirby Condominium Assoc, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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
11-31832.001-R-2	27-35-304-037-1001	1,862	14,858	\$16,720
11-31832.002-R-2	27-35-304-037-1002	1,862	14,858	\$16,720
11-31832.003-R-2	27-35-304-037-1003	1,862	14,858	\$16,720
11-31832.004-R-2	27-35-304-037-1004	1,862	14,858	\$16,720
11-31832.005-R-2	27-35-304-037-1005	1,862	14,858	\$16,720
11-31832.006-R-2	27-35-304-037-1006	1,862	14,858	\$16,720
11-31832.007-R-2	27-35-304-037-1007	1,862	14,858	\$16,720
11-31832.008-R-2	27-35-304-037-1008	1,862	14,858	\$16,720
11-31832.009-R-2	27-35-304-037-1009	1,862	14,858	\$16,720
11-31832.010-R-2	27-35-304-037-1010	1,862	14,858	\$16,720
11-31832.011-R-2	27-35-304-037-1011	1,862	14,858	\$16,720
11-31832.012-R-2	27-35-304-037-1012	1,862	14,858	\$16,720
11-31832.013-R-2	27-35-304-037-1013	1,862	14,858	\$16,720
11-31832.014-R-2	27-35-304-037-1014	1,862	14,858	\$16,720
11-31832.015-R-2	27-35-304-037-1015	1,862	14,858	\$16,720
11-31832.016-R-2	27-35-304-037-1016	1,862	14,858	\$16,720
11-31832.017-R-2	27-35-304-037-1017	1,862	14,858	\$16,720
11-31832.018-R-2	27-35-304-037-1018	1,862	14,858	\$16,720
11-31832.019-R-2	27-35-304-037-1019	1,862	14,858	\$16,720
11-31832.020-R-2	27-35-304-037-1020	1,862	14,858	\$16,720
11-31832.021-R-2	27-35-304-037-1021	1,862	14,858	\$16,720
11-31832.022-R-2	27-35-304-037-1022	1,862	14,858	\$16,720
11-31832.023-R-2	27-35-304-037-1023	1,862	14,858	\$16,720
11-31832.024-R-2	27-35-304-037-1024	1,862	14,858	\$16,720
11-31832.025-R-2	27-35-304-037-1025	1,862	14,858	\$16,720

11-31832.026-R-2	27-35-304-037-1026	1,862	14,858	\$16,720
11-31832.027-R-2	27-35-304-037-1027	1,862	14,858	\$16,720
11-31832.028-R-2	27-35-304-037-1028	1,862	14,858	\$16,720
11-31832.029-R-2	27-35-304-037-1029	1,862	14,858	\$16,720
11-31832.030-R-2	27-35-304-037-1030	1,862	14,858	\$16,720
11-31832.031-R-2	27-35-304-037-1031	1,862	14,858	\$16,720
11-31832.032-R-2	27-35-304-037-1032	1,862	14,858	\$16,720
11-31832.033-R-2	27-35-304-037-1033	1,862	14,858	\$16,720
11-31832.034-R-2	27-35-304-037-1034	1,862	14,858	\$16,720
11-31832.035-R-2	27-35-304-037-1035	1,862	14,858	\$16,720
11-31832.036-R-2	27-35-304-037-1036	1,862	14,858	\$16,720
11-31832.037-R-2	27-35-304-037-1037	1,862	14,858	\$16,720
11-31832.038-R-2	27-35-304-037-1038	1,862	14,858	\$16,720
11-31832.039-R-2	27-35-304-037-1039	1,862	14,858	\$16,720
11-31832.040-R-2	27-35-304-037-1040	1,862	14,858	\$16,720
11-31832.041-R-2	27-35-304-037-1041	1,862	14,858	\$16,720
11-31832.042-R-2	27-35-304-037-1042	1,862	14,858	\$16,720
11-31832.043-R-2	27-35-304-037-1043	1,862	14,858	\$16,720
11-31832.044-R-2	27-35-304-037-1044	1,862	14,858	\$16,720
11-31832.045-R-2	27-35-304-037-1045	1,862	14,858	\$16,720
11-31832.046-R-2	27-35-304-037-1046	1,862	14,858	\$16,720
11-31832.047-R-2	27-35-304-037-1047	1,862	14,858	\$16,720
11-31832.048-R-2	27-35-304-037-1048	1,862	14,858	\$16,720
11-31832.049-R-2	27-35-304-037-1049	1,862	14,858	\$16,720
11-31832.050-R-2	27-35-304-037-1050	1,862	14,858	\$16,720
11-31832.051-R-2	27-35-304-037-1051	1,862	14,858	\$16,720
11-31832.052-R-2	27-35-304-037-1052	1,862	14,858	\$16,720
11-31832.053-R-2	27-35-304-037-1053	1,862	14,858	\$16,720
11-31832.054-R-2	27-35-304-037-1054	1,862	14,858	\$16,720
11-31832.055-R-2	27-35-304-037-1055	1,862	14,858	\$16,720
11-31832.056-R-2	27-35-304-037-1056	1,862	14,708	\$16,570

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 assessments 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 56 condominium units. The property has 260,654 square feet of land and is located in Tinley Park, Orland Township, Cook County. The property is classified as

a class 2-99 residential condominium development under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation based on the sales of two similar condominium units and units that are for sale. The information provided by the appellant's counsel disclosed one unit sold in June 2010 for a price of \$181,000 and another sold in November 2011 for a price of \$179,000. The appellant's counsel also alluded to units that are listed for sale, however, no other documentation of the listings was submitted. The median consideration from sales and/or market listing was \$158,233 according to counsel. From this total the appellant's counsel deducted \$9,494 or 6% for personal property to arrive at a total adjusted consideration of \$148,739. The appellant's counsel then multiplied the total adjusted consideration by 8.50% for a fair market value of \$12,643. The appellant's counsel then deducted the average land assessed value of \$1,862 to arrive at an approximate total building assessed value of \$705,450. Based on this analysis, the appellant requested a total assessment reduction to \$705,450 for the condominium development.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessments of the subject totaling \$936,170 was disclosed. The subjects' assessments reflect a market value of \$9,361,700 or approximately \$167,173 per unit, when using the level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of the subjects' assessments, the board of review submitted an assessment analysis that relied on two sales from the Kirby Condominium Association. The sales occurred in March and September 2009 for \$205,000 and \$213,000, respectively. Based on this evidence the board of review requested confirmation of the subjects' assessments.

The appellant submitted a rebuttal brief critiquing the board of review's evidence.

Conclusion of Law

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant has not met this burden of proof and a reduction in the subject's assessment is not warranted.

In support of the overvaluation argument the appellant provided evidence that two condominium units similar to the subject sold in June 2010 for \$181,000 and November 2011 for \$179,000. In its evidence the board of review used sales from the subjects' condominium development that occurred in March and September 2009 for \$205,000 and \$213,000, which the Board finds are dated and are not probative of the subjects' market values as of January 1, 2011. The Board finds the best evidence of market value in the record are the appellant's two sales of

condominiums which sold in 2010 and 2011 for \$181,000 and \$179,000. The subjects' estimated market values as reflected by their assessments of \$167,173 per unit fall below the market values of the best comparable sales in this record. Therefore, the Board finds the subjects' assessments are not excessive in relation to the best most recent sales of similar properties.

In their respective analyses the appellant and board of review made deductions from the purchase prices to account for personal property. The Property Tax Appeal Board finds there is no evidence in this record that supports these deductions. Neither the appellant nor the board of review provided sales contracts or copies of the Real Estate Transfer Declarations associated with the respective sales to demonstrate there was any consideration given for personal property. Nor did either party provide any separate listing of what items were considered personal property and the value of the respective items.

In conclusion, the Property Tax Appeal Board finds the evidence in this record does not demonstrate the assessment of the properties are excessive in relation to sales of similar properties and a reduction in the assessments are 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



Acting Member

DISSENTING: _____

CERTIFICATION

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: November 23, 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.