



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

APPELLANT: Natalia Bondar
DOCKET NO.: 11-32496.001-R-1
PARCEL NO.: 17-06-126-050-1001

The parties of record before the Property Tax Appeal Board are Natalia Bondar, the appellant; 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:

**LAND: \$ 5,054
IMPR.: \$31,167
TOTAL: \$36,221**

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 a condominium unit with Property Index Number (PIN) ending in -1001 and percentage of ownership of 34.28%. The subject unit is located in West Chicago Township, Cook County. The subject is classified as a class 2

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 evidence disclosing the subject property was purchased on June 25, 2009 for a price of \$47,000. The evidence also reflects that the subject was purchased in settlement of a foreclosure and it was not advertised for sale. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$36,221. The subject's assessment reflects a market value of \$381,675 when using the 2011 three year median level of assessments for class 2 property of 9.49% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted an analysis estimating the value of the subject unit based on the recent sales of two other units within the same building. The board of review's evidence reflects that unit 1002 and 1002 with 15.76 and 17.10 percent, respectively, sold for a total price of \$395,000. Then, the board of review multiplied the total sale price of those two units by their cumulative percentage of ownership to get to the total market value for the entire building of \$1,202,069. Multiplying the full value of the subject building by the percentage of ownership under appeal, the board of review reached a full value of the subject unit of \$412,069.

At hearing, the appellant brought in a translator named, Daniel Golembiewski (Mr. Golembiewski), to help translate from Ukraine to English. Under oath, Mr. Golembiewski testified that he had personally seen the property and helped the appellant put together some of the paperwork for this appeal.

The appellant argued that the subject unit is not comparable to the other units in the building because it was not fully remodeled. Mr. Golembiewski opined that the unit simply would not have commanded the same price on the market had the appellant placed it on the market for sale in 2009. Mr. Golembiewski further opined that the assessed value was predicated on the assumption that the subject unit was also remodeled. He continued that had the assessed value of the unit stayed in proportion to an unremodeled unit, the approximate

calculation of the tax bill would have been 50% lower. Finally, Mr. Golembiewski opined that the current assessed value is excessive because it is almost half of the assessment for the entire building from before the building was converted to individual condominium units with separate PINs.

The board of review argued that the appellant failed to present any evidence showing what's the current market value or how the market value has been impacted, if at all, by the condition of the subject unit. In addition, the board of review argued that in large part the assessment of units is based on the building and the percentage of ownership that is split between the condominium owners.

Conclusion of Law

The appellant 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 this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant's evidence itself reflects that the subject was not advertised on the open market. Consequently, there is no evidence that what the appellant paid for the unit is what the market would have commanded because the 2009 sale was not an arm's length sale. Therefore, the Board gives this sale no weight.

The Board finds the best evidence of market value to be the purchase of units 1002 and 1003 in June and May, 2011, respectively. The Board finds the sales of those two units most proximate in time and therefore most relevant to this appeal. These units sold for \$185,000 and \$210,000, respectively. In comparison, the subject's assessment value reflects a market value of \$381,675, which is less than the combined value of the two comparables, while the subject is the same size as the two sold units. After making adjustments, the Board finds that the subject's assessment is reflective of the market value and a reduction in assessment is not justified.

The Board gives no weight to appellant's argument that the subject's assessment should be reduced because the unit is not in as good of a condition as the other units within the building. The appellant failed to present any evidence that despite its current condition, the subject unit is not worth the assessed value because of other factors that may influence its value. Finally, there was no evidence that the assessor's office predicated the subject's assessment on the assumption that the subject unit was fully remodeled. Based on this record, the Board finds a reduction in the assessment of the subject unit 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

Mark Albino

Member

[Signature]

Member

Member

Jerry White

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: July 24, 2015

[Signature]

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.