



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

APPELLANT: 5536 West Higgins Condominium Assoc.  
DOCKET NO.: 11-33114.001-R-1 through 11-33114.009-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 5536 West Higgins Condominium Assoc., the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC in Chicago; 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
11-33114.001-R-1	13-09-317-039-1001	1,352	19,348	\$20,700
11-33114.002-R-1	13-09-317-039-1002	1,350	19,330	\$20,680
11-33114.003-R-1	13-09-317-039-1003	1,553	22,224	\$23,777
11-33114.004-R-1	13-09-317-039-1004	1,553	22,224	\$23,777
11-33114.006-R-1	13-09-317-036-1006	1,592	22,782	\$24,374
11-33114.007-R-1	13-09-317-039-1007	1,593	22,800	\$24,393
11-33114.008-R-1	13-09-317-039-1008	1,593	22,800	\$24,393
11-33114.009-R-1	13-09-317-039-1005	1,593	23,581	\$25,174

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 building containing 8 units. The building is approximately 6 years old. The property has a 7,613 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-99 residential condominium building under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,120,000 as of January 1, 2009.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$187,268. The subject's assessment reflects a market value of \$1,872,680 or approximately \$234,085 per unit, including land, when applying the Cook County level of assessment for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted an assessment condominium analysis based on two sales of condominiums from the subject property. The sales occurred in March and August 2009 for prices of \$251,750 and \$267,000, respectively.

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

### **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 Board finds the best evidence of market value to be board of review's sales from the subject property. These sales occurred in March and August 2009 for prices of \$251,750 and \$267,000, respectively. The Board gave less weight to the appellant's appraisal due to its effective date of January 1, 2009, two years prior to the assessment date at issue. The Board finds the appraisal relied on four sales of comparable properties from 2008 and one comparable sale from 2009, which were not adjusted for the additional time that elapsed from the appraisal's 2009 effective date until the assessment date at issue of January 1, 2011. Furthermore, the sales contained in the appellant's appraisal were constructed from 1929 to 1964 and were significantly older than the subject property that was built in 2005. As a result, little weight was given to the conclusion of value contained in the appellant's appraisal. The best sales were two condominium units located in the subject condominium that occurred in March and August 2009 for prices of \$251,750 and \$267,000 per unit, including land. The subject's assessment reflects a market value of \$1,872,680 or approximately \$234,085 per unit, including land, which is below the market value of the best comparable sales in the record. Based on this evidence 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



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.