



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

APPELLANT: Daniel Barcus
DOCKET NO.: 12-21823.001-R-1 through 12-21823.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Daniel Barcus, the appellant; 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
12-21823.001-R-1	14-28-103-060-1001	10,810	56,481	\$67,291
12-21823.002-R-1	14-28-103-060-1006	583	3,053	\$3,636

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 2012 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 95-year-old, residential condominium unit of masonry construction with a separately assessed parking space. The property is located in Lake View 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 and assessment inequity. In support of the overvaluation argument, the appellant submitted evidence disclosing that two separate contracts for purchase of the subject were signed for \$445,000 and \$425,000, consecutively, but both deals fell through. The appellant also submitted color photographs of the subject's interior and asserted that the subject is in need of renovation and is one of the last remaining "vintage" condo units in the neighborhood. Based on this, the appellant argues that the incomplete transactions establish the highest value for the subject. In addition, the appellant submitted information on four suggested equity comparables for the condominium improvement only.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,927. The subject's improvement assessment is \$56,481 or \$29.73 per square foot of living area. The subject's assessment reflects a market value of \$709,270 when using the 2012 level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted equity information on four units located within the subject's building. In addition, the board of review submitted a brief arguing that the two contracts for to purchase should not be given any weight because they were not finalized with a closing.

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 that the appellant failed to meet its burden of showing that the subject property was overvalued. The Board finds that the contracts for sale of the subject do not establish the market value. The appellant also failed to submit any sales comparables of similar properties in close proximity to the subject to support the real estate contract price.

The taxpayer also contends assessment inequity for the condominium unit 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 Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As to the subject parking space, the Board finds that neither party submitted equity evidence on this PIN and therefore a reduction for the PIN is not warranted.

The Board finds the best evidence of assessment equity for the residential unit to be the board of review's comparables. These properties are located within the subject's building and have an assessment of \$1,992 per percent of ownership. The subject's improvement assessment of \$1,819 per percentage of ownership falls below the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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: March 24, 2017



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.