



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

APPELLANT: Proksa Park Condominium Association  
DOCKET NO.: 12-23294.001-C-1 through 12-23294.016-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Proksa Park Condominium Association, the appellant, by attorney Donald L. Schramm of Rieff Schramm Kanter & Guttman 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:

| <b>DOCKET NO</b> | <b>PARCEL NUMBER</b> | <b>LAND</b> | <b>IMPRVMT</b> | <b>TOTAL</b> |
|------------------|----------------------|-------------|----------------|--------------|
| 12-23294.001-C-1 | 16-31-108-049-1001   | 265         | 5,857          | \$6,122      |
| 12-23294.002-C-1 | 16-31-108-049-1002   | 242         | 5,369          | \$5,611      |
| 12-23294.003-C-1 | 16-31-108-049-1003   | 270         | 6,053          | \$6,323      |
| 12-23294.004-C-1 | 16-31-108-049-1004   | 247         | 5,565          | \$5,812      |
| 12-23294.005-C-1 | 16-31-108-049-1005   | 253         | 5,662          | \$5,915      |
| 12-23294.006-C-1 | 16-31-108-049-1006   | 276         | 6,150          | \$6,426      |
| 12-23294.007-C-1 | 16-31-108-049-1007   | 265         | 5,857          | \$6,122      |
| 12-23294.008-C-1 | 16-31-108-049-1008   | 242         | 5,369          | \$5,611      |
| 12-23294.009-C-1 | 16-31-108-049-1010   | 247         | 5,565          | \$5,812      |
| 12-23294.010-C-1 | 16-31-108-049-1011   | 253         | 5,662          | \$5,915      |
| 12-23294.011-C-1 | 16-31-108-049-1012   | 276         | 6,150          | \$6,426      |
| 12-23294.012-C-1 | 16-31-108-049-1014   | 242         | 5,369          | \$5,611      |
| 12-23294.013-C-1 | 16-31-108-049-1016   | 247         | 5,565          | \$5,812      |
| 12-23294.014-C-1 | 16-31-108-049-1017   | 253         | 5,662          | \$5,915      |
| 12-23294.015-C-1 | 16-31-108-049-1020   | 242         | 5,369          | \$5,611      |
| 12-23294.016-C-1 | 16-31-108-049-1021   | 305         | 6,736          | \$7,041      |

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 is improved with a three-story residential condominium with 22 units. The building is approximately 85 years old. The property is located in Berwyn, Berwyn Township, Cook County. The subject is classified as a class 2-99 residential condominium under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. The appellant submitted a brief explaining the subject property was an apartment building that had been converted into a 22-unit residential condominium effective for the 2010 tax year. The appellant stated that only five of the units had sold and the bottom had dropped out of the condominium market in the Berwyn area with virtually no hope of marketing the remaining 17 units. The appellant's complaint addressed the assessments of the 17 unsold units.<sup>1</sup>

In support of the contention the residential condominium market had declined the appellant submitted two letters from realtors/brokers dated October 21, 2011 both asserting the market value of condominiums had dropped 60% to 70% in the last couple of years. The appellant also submitted a list of 18 comparable residential condominiums located in Berwyn. Nine of the comparables sold from April 2009 to April 2011 for prices ranging from \$23,000 to \$100,000. Those comparables that sold in 2011 sold for prices ranging from \$30,500 to \$60,000. Nine of the comparables were listings with prices ranging from \$33,900 to \$159,500. The appellant also submitted an appraisal wherein the final estimate of overall value for the 17 units was \$1,025,000. The appellant also presented an income approach to value based on operating statements of the subject property from 2008 through 2010 and arrived at a value of \$995,067.

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<sup>1</sup> The appellant filed the appeal on 17 of the 22 units in the condominium, including parcel number (PIN) 16-31-108-049-1022. However, the decision issued by the Cook County Board of Review was for only 21 of the 22 units and did not include PIN 16-31-108-049-1022. Therefore, the Property Tax Appeal Board does not have jurisdiction over parcel number 16-31-108-049-1022.

The appellant submitted a copy of the decision of the board of review and provided an exhibit disclosing the total assessment of the seventeen units on which the appeal was filed was \$150,620 reflecting a market value of \$1,506,200 when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10%. The appellant requested the assessment of the 17 units be reduced to \$102,000, which reflects a market value of \$1,020,000.

The board of review did not submit its "Board of Review Notes on Appeal" or evidence in support of its contention of the correct assessment.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value was presented by the appellant. The appellant submitted comparable sales, comparable listings, an appraisal and an income approach to value all indicating the subject units were overvalued. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's opinion of value as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). Based on this record the Board finds a reduction in the subject's assessment is 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.

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Chairman

*K. L. Ferr*

\_\_\_\_\_  
Member

*[Signature]*

\_\_\_\_\_  
Member

*Mark Albino*

\_\_\_\_\_  
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: August 21, 2015

*[Signature]*

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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.