



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

APPELLANT: 1319 West Sherwin Condominium Assoc
DOCKET NO.: 12-23859.001-R-2 through 12-23859.028-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1319 West Sherwin Condominium Assoc, the appellant(s), by attorney David C. Dunkin, of Arnstein & Lehr, LLP 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
12-23859.001-R-2	11-29-317-051-1001	957	2,280	\$3,237
12-23859.002-R-2	11-29-317-051-1002	881	2,100	\$2,981
12-23859.003-R-2	11-29-317-051-1003	967	2,304	\$3,271
12-23859.004-R-2	11-29-317-051-1004	886	2,113	\$2,999
12-23859.005-R-2	11-29-317-051-1005	939	2,238	\$3,177
12-23859.006-R-2	11-29-317-051-1006	856	2,040	\$2,896
12-23859.007-R-2	11-29-317-051-1007	861	2,052	\$2,913
12-23859.008-R-2	11-29-317-051-1008	869	2,070	\$2,939
12-23859.009-R-2	11-29-317-051-1009	869	2,070	\$2,939
12-23859.010-R-2	11-29-317-051-1010	975	2,322	\$3,297
12-23859.011-R-2	11-29-317-051-1011	846	2,016	\$2,862
12-23859.012-R-2	11-29-317-051-1012	975	2,322	\$3,297
12-23859.013-R-2	11-29-317-051-1013	826	1,968	\$2,794
12-23859.014-R-2	11-29-317-051-1014	886	2,113	\$2,999
12-23859.015-R-2	11-29-317-051-1015	876	2,088	\$2,964
12-23859.016-R-2	11-29-317-051-1016	839	1,998	\$2,837
12-23859.017-R-2	11-29-317-051-1017	836	1,992	\$2,828
12-23859.018-R-2	11-29-317-051-1018	980	2,334	\$3,314
12-23859.019-R-2	11-29-317-051-1019	839	1,998	\$2,837
12-23859.020-R-2	11-29-317-051-1020	985	2,346	\$3,331
12-23859.021-R-2	11-29-317-051-1021	876	2,088	\$2,964
12-23859.022-R-2	11-29-317-051-1022	957	2,280	\$3,237
12-23859.023-R-2	11-29-317-051-1023	939	2,238	\$3,177
12-23859.024-R-2	11-29-317-051-1024	886	2,113	\$2,999
12-23859.025-R-2	11-29-317-051-1025	947	2,256	\$3,203

12-23859.026-R-2	11-29-317-051-1026	881	2,100	\$2,981
12-23859.027-R-2	11-29-317-051-1027	866	2,064	\$2,930
12-23859.028-R-2	11-29-317-051-1028	881	2,100	\$2,981

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 28 units in a residential condominium association. The subject is 52 years old and it is situated on a 20,998 square foot site located in Rogers Park Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. The appellant submitted sale information regarding 14 units in the subject condominium that sold from 2010 to 2012. The appellant totaled the sale prices of these units resulting in a total consideration of \$457,000. The appellant then deducted \$28,000 to account for personal property and then multiplied this amount by the total percentage of the units sold of 50.360% resulting in a full market value of \$851,867. This amount was multiplied by 10% resulting in an assessment for all units in the condominium of \$85,187.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject units of \$279,208. The subject's assessment reflects a market value of \$2,792,080, land included, when using the 2012 level of assessment 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 information regarding five units in the subject condominium that sold in 2008. These sales were totaled resulting in a total consideration of \$565,500. Personal property in the amount of \$11,310 was deducted from this amount resulting in a total adjusted consideration of \$554,190. This amount was multiplied by the total percentage of units sold of 18.17% resulting in a full market value for all units of \$3,050,027. Based on this analysis, the board requested confirmation of the subject's assessment.

In written rebuttal, the appellant stated the board of review submitted sales from 2008 which do not accurately measure what the subject's assessment should have been in 2012.

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 best evidence of market value to be the appellant's recent sales and the accompanying condominium sales analysis, less the personal property deduction as no evidence was submitted that personal property was included in the sale prices. Less weight was given to the board of review's sales since they occurred in 2008 while the appellant's sales occurred in 2010 through 2012 which is more proximate in time to the lien date at issue. The Board finds the purchase prices are below the market value reflected by the assessment. Based on this record the Board finds the subject property had a market value of \$851,867 as of January 1, 2012. Since market value has been determined the 2012 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. 86 Ill.Admin.Code §1910.50(c)(2)

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.

Mario Morris

Chairman

K. L. Fen

Member

Robert Steffen

Member

Dane DeKinia

Acting Member

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:

April 21, 2017

A. H. H. H.

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.