



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

APPELLANT: Arthur & California Condo. Assoc.  
DOCKET NO.: 12-23904.001-R-2 through 12-23904.034-R-2  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Arthur & California Condo. Assoc., the appellant, 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
12-23904.001-R-2	10-36-424-034-1001	277	1,591	\$1,868
12-23904.002-R-2	10-36-424-034-1002	379	2,175	\$2,554
12-23904.003-R-2	10-36-424-034-1003	408	2,339	\$2,747
12-23904.004-R-2	10-36-424-034-1004	573	3,287	\$3,860
12-23904.005-R-2	10-36-424-034-1008	626	3,593	\$4,219
12-23904.006-R-2	10-36-424-034-1009	485	2,779	\$3,264
12-23904.007-R-2	10-36-424-034-1010	532	3,052	\$3,584
12-23904.009-R-2	10-36-424-034-1012	496	2,844	\$3,340
12-23904.010-R-2	10-36-424-034-1013	667	3,828	\$4,495
12-23904.011-R-2	10-36-424-034-1014	505	2,900	\$3,405
12-23904.012-R-2	10-36-424-034-1015	490	2,814	\$3,304
12-23904.013-R-2	10-36-424-034-1016	643	3,686	\$4,329
12-23904.014-R-2	10-36-424-034-1017	626	3,593	\$4,219
12-23904.015-R-2	10-36-424-034-1018	474	2,722	\$3,196
12-23904.016-R-2	10-36-424-034-1019	532	3,052	\$3,584
12-23904.018-R-2	10-36-424-034-1021	496	2,844	\$3,340
12-23904.019-R-2	10-36-424-034-1022	667	3,828	\$4,495
12-23904.020-R-2	10-36-424-034-1023	505	2,900	\$3,405
12-23904.021-R-2	10-36-424-034-1024	490	2,814	\$3,304
12-23904.022-R-2	10-36-424-034-1025	643	3,686	\$4,329
12-23904.023-R-2	10-36-424-034-1026	626	3,593	\$4,219
12-23904.024-R-2	10-36-424-034-1027	474	2,722	\$3,196
12-23904.025-R-2	10-36-424-034-1028	532	3,052	\$3,584
12-23904.026-R-2	10-36-424-034-1029	547	3,135	\$3,682
12-23904.027-R-2	10-36-424-034-1030	496	2,844	\$3,340

12-23904.028-R-2	10-36-424-034-1031	667	3,828	\$4,495
12-23904.029-R-2	10-36-424-034-1032	505	2900	\$3,405
12-23904.030-R-2	10-36-424-034-1033	490	2,814	\$3,304
12-23904.031-R-2	10-36-424-034-1034	643	3,686	\$4,329
12-23904.032-R-2	10-36-424-034-1005	1,363	1,098	\$2,461
12-23904.033-R-2	10-35-424-034-1006	1,069	1,015	\$2,084
12-23904.034-R-2	10-35-424-034-1007	1,886	1,697	\$3,583

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 32 condominium units contained in an 84 year-old, multi-story, 34-unit condominium building of masonry construction. Each unit is designated by a separate Property Index Number (hereinafter referred to as "PIN"). The parties differed as to the percentage of ownership the subject property contained in the entire building. The property has a 13,438 square foot site and is 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. In support of its contention of the correct assessment, the appellant submitted a condominium analysis with information on suggested comparable sales for 11 units in the building that sold from April 2010 through August 2012 for prices ranging from \$10,000 to \$65,000 per unit, for a total of \$422,500. The appellant applied a \$2,000 reduction per unit for personal property without further evidence to arrive at an adjusted market value of \$400,500 for the 11 units sold. The appellant disclosed the units sold consisted of 34.608% of all units in the building. The result was a full value of the property at \$1,157,247. The appellant's evidence and the board of review's 2012 re-review of the appellant's complaint disclosed the subject did not include the two units, designated PINs 1011 and 1020, but did include the remaining 32 units. Since the subject was 93.85% of all the units in the building, the appellant suggested the market value of the subject to be \$1,086,076.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$318,174. The subject's assessment reflects a market value of \$3,181,740 when applying the 2012 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted a condominium analysis with information on suggested comparable sales for two units in the

building that sold from April 2008 through August 2008 for \$558,000. The board of review applied a 2.00% market value reduction to the subject for personal property without further evidence to arrive at an adjusted market value of \$546,840 of the two units sold. The board of review disclosed the two units sold consisted of 5.495% of all units in the building. The result was a full value of the property at \$9,951,592. The board of review asserted in its condominium analysis that the subject did not include five units, designated PINs 1005, 1006, 1007, 1011 and 1020. Since, the board of review asserted that the subject property consisted of 85.513% of the units in the building, the board of review suggested the market value of the subject to be \$8,509,905.

In rebuttal, the appellant argued that the two sales submitted by the board of review should be given no weight because the board of review failed to submit a sufficient number of recent sales. The appellant reaffirmed the request for an assessment reduction.

### **Conclusion of Law**

The Board finds the subject consisted of 32 units, or 93.85% of all the units in the 34-unit building. Contrary to the board of review's evidence, the appellant's evidence disclosed the subject included PINs 1005, 1006 and 1007. The subject excluded units designated PINs 1011 and 1020, as disclosed by the board of review's own re-review decision letter for the appellant's 2012 complaint.

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 condominium analysis that includes the 11 recent sales submitted by the appellant. However, the Board does not reduce the market value of the residential units sold by any amount for personal property since there is no evidence in support of this reduction. The total of the sales prices of the 11 recent sales is \$400,500. These 11 units consist of 34.608% of all the units in the building. Consequently, the Board finds the result is a full value of the subject is \$1,220,816 as of January 1, 2012. The Board finds that a reduction in the subject's assessment is justified. Since market value has been determined, the 2012 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance shall apply to each of the units in the subject in proportion to their respective percentages of ownership in the property.

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



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Member

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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: June 24, 2016



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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.