



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

APPELLANT: Brian Colson
DOCKET NO.: 13-29947.001-R-1
PARCEL NO.: 17-06-424-065-1001

The parties of record before the Property Tax Appeal Board are Brian Colson, the appellant, by attorney Martha Jane Lavelle, of Finkel Martwick & Colson, 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 **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:

LAND: \$3,502
IMPR.: \$47,298
TOTAL: \$50,800

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 2013 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 residential condominium unit with 2,300 square feet of living area located in a three-unit condominium building. The property has a 3,000 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted a grid analysis on eight equity comparables using condominium units in other buildings that recently sold. The comparables have percentage of ownerships in their respective condominiums that range from 7.7% to 12.5%. The grid analysis contained assessment data from 2012. The appellant also argued that the subject's assessment is inappropriately high, due to the original developer ascribing a 50% ownership to the unit despite the fact it is not 50% of the value of the building.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$51,283. The subject's assessment reflects a market value of \$512,830, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject property has an improvement assessment of \$47,781 or \$20.77 per square foot of living area. The board of review's submission indicates the subject property has a 45.78% ownership interest in the condominium, while the other units each have a 27.11% ownership interest. In support of its contention of the correct assessment the board of review submitted a condominium assessment analysis for the subject building, which relied on the sale of the subject in July 2014 for \$508,000.

Conclusion of Law

The taxpayer contends assessment inequity 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 on this basis.

As an initial matter regarding the appellant's argument that the subject's assessment is inappropriately high, due to the original developer ascribing a 50% ownership to the unit despite the fact it is not 50% of the value of the building, the Board finds this argument is without merit. The appellant failed to submit supporting evidence to support this contention and the board of review's submission discloses the subject had a 45.78% ownership in the condominium. Furthermore, the appellant failed to disclose what percentage of ownership should be attributed to the subject.

The Board gives no weight to the assessment equity analysis submitted by the appellant. The Board finds the improvement assessment analysis relied on 2012 assessment data, which is not appropriate for analyzing 2013 improvement assessments for equity purposes.

The Board finds, however, the board of review evidence disclosed the property sold in July 2014 for a price of \$508,000. The subject's assessment reflects a market value of \$512,830 when applying the level of assessment for class 2-99 property of 10%, which is slightly greater than the purchase price. Based on the reported purchase of the subject property the Board finds a slight reduction in the assessment is appropriate.

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: February 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.