



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

APPELLANT: Cristian Luput
DOCKET NO.: 13-33273.001-R-1
PARCEL NO.: 13-15-237-058-1003

The parties of record before the Property Tax Appeal Board are Cristian Luput, 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 **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:

LAND: \$746
IMPR.: \$7,116
TOTAL: \$7,862

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 contained in a 96 year-old, four-unit residential condominium building of masonry construction. Each unit is designated by a separate Property Index Number (hereinafter, "PIN"). The subject is designated by PIN 1003. The property has a 3,119 square foot site and is located in Jefferson 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 two units, PINs 1001 and 1003, in the building that sold in 2011 for a total of \$95,000. The appellant applied a \$2,000 market value reduction for each sale for personal property without further evidence to arrive at an adjusted market value of \$91,000 of the two

units sold. The appellant disclosed the units sold consisted of 41.07% of all units in the building. The result was a full value of the property at \$221,573. The appellant asserted the subject was 18.76% of all the units in the building. Therefore, the board of review suggested the market value of the subject to be \$41,567.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$7,862. The subject's assessment reflects a market value of \$78,620 when applying the 2013 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 three units in the building; two sold in 2011 (PINs 1001 and 1003) and one sold in 2007 (PIN 1002), for a total of \$320,000. 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 \$313,600 of the three units sold. The board of review submitted evidence from the Cook County Assessor of the respective percentages of ownership in the common elements attributed to each unit. The board of review disclosed the units sold consisted of 70.113% of all units in the building. The result was a full value of the property at \$447,278. The board of review asserted the subject was 21.263% of all the units in the building, the board of review suggested the market value of the subject to be \$95,105.

In rebuttal, the appellant argued the board of review's condominium analysis was flawed and should be given no weight because it relied on a sale, from 2007, that was not recent.

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 parties disclosed the same sales of units, PINs 1001 and 1003, in support of their condominium analyses. These units sold in 2001. The third sale disclosed by the board of review in support of its analysis sold in 2007. No other sales were disclosed by either party. Rules of the Property Tax Appeal Board provide that proof of market value may consist of "documentation of not fewer than three recent sales..." 86 Ill.Admin.Code §1910.65(c)(4). The evidence submitted *in toto* disclosed only two recent sales: PINs 1001 and 1003. The sale of PIN 1002 in 2007 is given no weight as it is not proximate in time to the assessment date. Based on this evidence, the Board finds 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: November 23, 2016



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.