



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

APPELLANT: Victor Powell
DOCKET NO.: 13-33960.001-R-1
PARCEL NO.: 17-16-247-054-1002

The parties of record before the Property Tax Appeal Board are Victor Powell, 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 **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: \$9,184
IMPR.: \$17,469
TOTAL: \$26,653

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 121 year-old, six-story residential condominium building of masonry construction. Each of the units contained in the building are designated by a Property Index Number (hereinafter, "PIN"). The subject is designated as PIN 1002. The property is located in South Chicago Township, Cook County. The property is a Class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a condominium analysis with information on: 1) one suggested comparable sale for the unit designated PIN 1003 in the building that sold in 2014 for the price of \$215,000; and 2) an appraisal for PIN 1004 in the building estimating PIN 1004 had a market value of \$160,000 as of December 31, 2012. The appellant assumed the appraisal of PIN 1004 as the

equivalent of a sale and arrived at a sales total of the two units at \$375,000. The appellant applied a \$10,000 reduction to PINs 1003 and 1004 for personal property without further evidence to arrive at an adjusted market value of \$355,000 of the two units. The appellant disclosed the units consisted of 50.00% of all units in the building. The result was a full value of the property at \$710,000. Since the subject was 25.00% of all the units, the board of review suggested the market value of the subject to be \$177,500. The appellant requested a total assessment reduction to \$16,000 when applying the 2013 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$26,653. The subject's assessment reflects a market value of \$266,530 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 one unit in the building that sold in 2005 for a sales total of \$240,000. The board of review disclosed the units sold consisted of 25.00% of all units in the building. The result was a full value of the property at \$960,000. Since the subject was 25.00% of all the units, the board of review suggested the market value of the subject to be \$240,000. The board of review also submitted a deed trail for PIN 1003.

In rebuttal, the appellant argued that the board of review's condominium analysis is flawed and should be given no weight because it was based on only one sale from 2005.

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 Board finds the appellant failed to submit "documentation of not fewer than three recent sales of suggested comparable properties together with documentation of the similarity, proximity and lack of distinguishing characteristics of the sales comparables to the subject property." 86 Ill.Admin.Code §1910.65(c)(4). The appellant's evidence consisted of one sale in the subject's building and an appraisal for a property (PIN 1004) that was not the subject. Although the appellant argued that PIN 1004 was identical to the subject, the appellant did not submit descriptive information about the subject, either in the appraisal or in other evidence. In rebuttal, the appellant argued the board of review's evidence had no weight because, in part, because it was based on fewer than three recent sales. The same argument applies to the appellant. Therefore, the Board finds there is insufficient evidence upon which to find the appellant met its burden of proof by a preponderance of the evidence.

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: March 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.