



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

APPELLANT: Stanley Weiss  
DOCKET NO.: 15-20369.001-R-1 through 15-20369.003-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Stanley Weiss, the appellant(s), by attorney Kevin P. Burke, of Smith Hemmesch Burke & Kaczynski 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 part and a No Change in part** 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
15-20369.001-R-1	11-18-320-010-1002	8,249	41,699	\$ 49,948
15-20369.002-R-1	11-18-320-010-1003	16,499	56,001	\$ 72,500
15-20369.003-R-1	11-18-320-010-1004	16,499	83,399	\$ 99,898

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 2015 tax year. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject consists of three condominium units with a 55.00% ownership interest in the common elements. The property is located in Evanston, Evanston 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 overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the unit with the PIN ending in -1003 had a market value of \$725,000 as of January 1, 2013. The appraisal states that this unit is owner occupied.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$217,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$249,744. The subject's assessment reflects a market value of \$249,744 when applying the 2015 statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00%.

In support of the subject's assessment, the board of review submitted a memorandum showing that one unit in the subject's building, plus the unit under appeal with the PIN ending in -1002, or 22.00% of ownership, sold in August 2012 and May 2013 for \$550,000 and \$560,000, respectively. An allocation of 2.00% for personal property was subtracted from the aggregate sale price, and then divided by the percentage of interest of the units sold to arrive at a total market value for the building of \$4,944,545.

### **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 for the unit with the PIN ending in -1003 to be the appraisal submitted by the appellant. The unit with the PIN ending in -1003 has an assessment of \$99,898, which is above the best evidence of market value in the record. The Board finds the unit with the PIN ending in -1003 had a market value of \$725,000 as of the assessment date at issue. Since market value has been established the 2015 statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00% shall apply to this PIN. 86 Ill.Admin.Code §1910.50(c)(2).

The Board further finds that the appellant has not proven, by a preponderance of the evidence, that the remaining PINs under appeal are overvalued. The Board notes that appellant sale comparable #5 found in the appraisal's sales comparison approach to value, and board of review sale comparable #2 represent the same property and sale transaction. The Board finds the best evidence of market value for the remaining PINs under appeal to be appellant's comparables #3, #4, and #5 found in the appraisal's sales comparison approach to value, and board of review comparables #1 and #2. In accordance with the Condominium Property Act, the remaining units shall be assessed using each individual unit's corresponding percentage of ownership. 765 ILCS 605/10(a) ("Real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof, or other lawful taxing or assessing body, which are authorized by law to be assessed against and levied upon real property shall be assessed against and levied upon each unit and the owner's corresponding percentage of ownership in the common elements as a tract, and not upon the property as a whole."). The aggregate sale price of these sales is \$2,484,000, and, using these units' total percentage of ownership of 39.00%, the total market value for the building is \$6,369,231. Using the remaining

unit's individual percentages of ownership results in a market value of \$700,615 for the unit with the PIN ending in -1002, and \$1,401,231 for the unit with the PIN ending in -1004. These market values support these units' current assessments. Therefore, the Board finds that the appellant has not proven, by a preponderance of the evidence, that these remaining units are overvalued, and a reduction in their assessment is not warranted.

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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



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: \_\_\_\_\_

May 15, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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