



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

APPELLANT: 546 Michigan Ave. Condo Assoc.
DOCKET NO.: 15-21293.001-R-1 through 15-21293.004-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 546 Michigan Ave. Condo Assoc., the appellant(s), by attorney Scott L. David, of Much Shelist 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
15-21293.001-R-1	11-19-416-027-1001	1,856	12,601	\$14,457
15-21293.002-R-1	11-19-416-027-1002	1,856	12,601	\$14,457
15-21293.003-R-1	11-19-416-027-1003	1,856	12,601	\$14,457
15-21293.004-R-1	11-19-416-027-1004	1,181	8,019	\$9,200

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 finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject consists of four condominium units with a combined 100% 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 for Unit #4. Unit #4 was appraised at \$92,000 as of May 9, 2012. Unit #1's percentage of ownership is 17.5% in the subject building. Appellant's pleadings also stated that the subject's market value is negatively impacted by increased airplane noise levels from O'Hare. In support, the appellant submitted an aircraft altitude and gate

location report. Based upon this evidence, the appellant's attorney requested that the subject's combined total market value be \$525,714.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,000. The subject's assessment reflects a market value of \$790,000 when using the 10 % level of assessment for Cook County as determined by the Cook County Classification Code.

In support of the assessment, the board of review evidence stated that the appraisal lists the subject as an apartment and not a condominium building and that the appraisal is aggressively low. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds that appellant did not submit any evidence that showed that the subject's market value is negatively impacted by airplane noise from O'Hare. In fact, the appellant's appraisal does not reference or make any adjustments for any noise that would negatively impact the subject's market value.

The appraisal discloses that each unit is designated by its own PIN. Indeed, the board of review's own evidence disclosed that each unit has a different PIN. Therefore, the Board finds, for this appeal, the subject is a condominium unit contained in a four unit condo development.

The Board finds the best evidence of the subject's market value to be the recent appraisal submitted by the appellant. Personal property was not deducted from this amount, as neither party submitted numerical evidence that personal property was included in the values. The subject's assessment reflects a market value of \$790,000 which is above the best evidence of market value in the record. The Board finds the subject property had a total market value of \$525,714 as of the assessment date at issue. Since market value has been established, the 2015 level of assessment for class 2-99 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply.

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: April 17, 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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