



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

APPELLANT: 724 North Western Ave. Condo
DOCKET NO.: 15-22345.001-R-1 through 15-22345.014-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 724 North Western Ave. Condo, the appellant(s), by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-22345.001-R-1	09-27-213-064-1001	1,332	6,562	\$7,894
15-22345.002-R-1	09-27-213-064-1002	932	4,593	\$5,525
15-22345.003-R-1	09-27-213-064-1003	932	4,593	\$5,525
15-22345.004-R-1	09-27-213-064-1004	932	4,593	\$5,525
15-22345.005-R-1	09-27-213-064-1005	943	4,649	\$5,592
15-22345.006-R-1	09-27-213-064-1006	962	4,740	\$5,702
15-22345.007-R-1	09-27-213-064-1007	977	4,817	\$5,794
15-22345.008-R-1	09-27-213-064-1008	1,410	6,946	\$8,356
15-22345.009-R-1	09-27-213-064-1009	943	4,649	\$5,592
15-22345.010-R-1	09-27-213-064-1010	943	4,649	\$5,592
15-22345.011-R-1	09-27-213-064-1011	943	4,649	\$5,592
15-22345.012-R-1	09-27-213-064-1012	965	4,754	\$5,719
15-22345.013-R-1	09-27-213-064-1013	965	4,754	\$5,719
15-22345.014-R-1	09-27-213-064-1014	986	4,859	\$5,845

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 property consists of a 14-unit residential condominium association. The units are 50 years old and are situated on a 21,805 square foot site. The property is located in Maine Township. 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 a very limited sales ratio analysis. The appellant listed 87 sale prices for condominium units located in the subject's neighborhood that had sales occurring from 2012 through 2014. The appellant made an adjustment to each sale price of 5.0% to account for personal property. Each sale price was compared to the unit's 2015 total assessment to derive a sales ratio. The appellant argued that the units had an average sales ratio of 10.76% therefore the subject's total assessment should be adjusted by a factor of 92.93%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$83,972. The subject's assessment reflects a market value of \$839,720, including land, when applying the 2015 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted a condominium sales analysis based on the 2014 sale of subject unit 1007 which sold in May 2014 for a price of \$71,000. The board subtracted 2% from the price, to account for personal property, resulting in an adjusted sale price of \$69,580. This amount was divided by the unit's percentage of ownership of 6.90% resulting in a fair market value for the condominium as a whole of \$1,008,406, or a total assessment of \$100,841. Based on this analysis, the board 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 not meet this burden of proof and a reduction in the subject's assessment is not warranted.

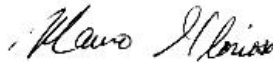
The appellant handpicked 87 suggested comparable sales without providing detailed descriptive data for properties located in the subject's neighborhood that sold between 2012 and 2014. The appellant also deducted a personal property allowance with no supporting evidence of personal property. The appellant argues that the *average* sales ratio from these sales is above the ordinance or actual level of assessment used by the county. The Board finds this sales ratio study insufficient and gives it little weight.

The Board finds the appellant did not choose random properties within the county to analyze sales information, but instead chose properties located in the subject's neighborhood. The Court

has stated that when comparable properties are handpicked and not random, the study cannot be viewed as representative of the county's assessments as a whole. Peacock v. Illinois Property Tax Appeal Board, 339 Ill.App.3d 1060, 1069, 792 N.E.2d 367, 374 (4th Dist. 2003). Accordingly, the Board finds that the appellant failed to show by a preponderance of the evidence that the subject was overvalued and a reduction based on the evidence contained in this record is not justified.

In addition, the Board finds that the board of review submitted an analysis based on one sale in the subject's association. The Board finds one sale to be insufficient to support the market value of a 14-unit condominium association. 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. 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: September 18, 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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