



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

APPELLANT: Donald & Amy Miller
DOCKET NO.: 15-27468.001-R-1
PARCEL NO.: 07-08-300-020-1021

The parties of record before the Property Tax Appeal Board are Donald & Amy Miller, the appellant(s); 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:

LAND: \$ 387
IMPR.: \$5,120
TOTAL: \$5,507

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 single residential condominium unit located in a condominium association with 352 units. The subject is 36 years old and has a 0.3323% ownership in the condominium as a whole. The property has a 97,139 square foot site and is located in Schaumburg 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 information on eight comparable sales located within the subject condominium association.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$5,813. The subject's assessment reflects a market value of \$58,130, 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 memo regarding the Illinois Condominium Property Act and copies of three property Tax Appeal Board decisions regarding different properties. The board of review also submitted information on seventeen comparable sales that occurred in 2013 through 2015 and are located within the subject condominium. The Board notes that two of the board of review's sales (Permanent Index Numbers 07-08-300-020-1057 and -1331) are the same as the appellant's sales. The board of review totaled all of the recent sales resulting in a total consideration of \$944,900. The board reduced this amount by 1.00% to account for personal property resulting in an adjusted consideration of \$935,465. This amount was multiplied by the total percentage of the recent sales of 5.3470% resulting in a full market value for the development as a whole of \$17,494,875. This amount was multiplied by the subject's percentage of ownership of 0.3323% resulting in a market value for the subject of \$58,135 and an assessment of \$5,814.

In written rebuttal, the appellant stated the board of review's analysis did not include several of the appellant's sales. In addition, the appellant submitted additional sales.

Conclusion of Law

The additional sales submitted in rebuttal were given no weight by the Board pursuant to Section 1910.66 (c), which states: Rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties. A party to the appeal shall be precluded from submitting its own case in chief in the guise of rebuttal evidence. (86 Ill. Adm. Code 1910.66(c)).

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 to be the 2013, 2014, and 2015 sales submitted by both parties. The sales were totaled resulting in \$1,054,800. This amount was divided by the total percentage sold of 6.3652%. There was no deduction for personal property as neither party submitted evidence of the amount of personal property included in the sale prices. The total consideration was divided by the total percentage of interest of the recently sold units resulting in a fair market value for the condominium as a whole of \$16,571,357. This amount was multiplied by the subject's percentage of ownership of .3323% resulting in a market value of the subject unit of \$55,067. This amount was multiplied by the 2015 level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% resulting in an assessment for the subject property of \$5,507. The Board notes that this assessment reflects a market value of \$55,067 which is within the range of the best comparable sales in the record. Based on this evidence the Board finds a reduction in the subject's assessment is 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



Acting 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: June 23, 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.