



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

APPELLANT: 3849-51 W. Maypole Condo Asso.
DOCKET NO.: 15-30914.001-R-1 through 15-30914.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 3849-51 W. Maypole Condo Asso., the appellant(s), by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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 |
|------------------|----------------------|-------------|----------------|--------------|
| 15-30914.001-R-1 | 16-11-308-073-1001 | 1,431 | 7,858 | \$ 9,289 |
| 15-30914.002-R-1 | 16-11-308-073-1002 | 1,170 | 6,423 | \$ 7,593 |
| 15-30914.003-R-1 | 16-11-308-073-1003 | 1,388 | 7,619 | \$ 9,007 |

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 combined 100.00% ownership interest in the common elements. The property is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance. No evidence was submitted as to whether the subject units are owner occupied.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted evidence disclosing all three subject units were purchased on January 24, 2014 as part of a bulk sale for a total price of \$13,500 for all three units. The appellant submitted printouts from ReallInfo, a subscription service that purportedly tracks property sales in Cook

County. These printouts show that LaSalle Bank, N.A. filed a *lis pendens* on all three subject units on June 29, 2007. All three *lis pendens* list 3849-51 W. Maypole LLC, and Alshawntus Beck as the owners of the subject units. According to the printouts, the three subject units were then conveyed by Bank of America, N.A., to Maypole Land Trust via a special warranty deed filed on January 24, 2013. Based on this evidence, the appellant requested a reduction in the subject's assessment to 10.00% of the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,889. The subject's assessment reflects a market value of \$258,890 when applying the 2015 statutory level of assessment for class 2 property of 10.00% under the Cook County Real Property Assessment Classification Ordinance.

In support of the subject's assessment, the board of review submitted a memorandum which shows that the subject unit with the PIN ending in -1002, or 29.33% of ownership, sold on August 27, 2012 for a price of \$75,930. The sale price was then divided by the percentage of interest of the unit sold to arrive at a total market value for the building of \$258,881.

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 only evidence submitted in support of the sale of the subject units in January 2013 for \$13,500 were three printouts from RealInfo. The questions in Section IV – Recent Sale Data of the Board's residential appeal form were left unanswered. Thus, there is no evidence to show whether this sale was an arm's-length transaction. The Board is especially dissuaded from find that this bulk sale was an arm's-length transaction based on two factors. First, a *lis pendens* was filed on all three subject units immediately preceding the sale of the subject in January 2013, leading to the possible (if not probable) conclusion that the sale of the subject units was a compulsory sale. See 35 ILCS 200/1-23. Second, the appellant and the purchaser of the subject, Maypole Land Trust, share a similar corporate name. While these two business entities could conceivably be owned by different individuals, the appellant did not complete Section IV – Recent Sale Data of the Board's residential appeal form, let alone submit evidence showing that these were two separate and independent entities. The Board finds that the printouts from RealInfo are not enough to prove that the subject is overvalued by a preponderance of the evidence. The Board further finds that it cannot reduce the subject's assessment based on its recent sale unless that sale was an arm's-length transaction, and there was no evidence submitted to show as such. Therefore, the Board finds that the appellant has not proven, by a preponderance of the evidence, that the subject is overvalued, and a reduction 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: December 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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APPELLANT

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