



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

APPELLANT: Adam M. Haefner
DOCKET NO.: 15-33790.001-R-1
PARCEL NO.: 17-22-305-053-1031

The parties of record before the Property Tax Appeal Board are Adam M. Haefner, 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:

LAND: \$ 6,579
IMPR.: \$17,767
TOTAL: \$24,346

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 condominium unit with a 1.72% ownership interest in the common elements. The unit is located in a 56-unit building that is 10 years old. It is situated on a 40,267 square foot site and is located in South Chicago 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 a contention of law as the basis of appeal. The appellant argued that the subject property's assessment is excessive, incorrect or illegal based on the appellant's own sales ratio study of 15 sales of class 2-99 property within the subject's building. The sales sold from 2011 through 2015.

In support of this argument the appellant submitted a chart with limited information for each sale that included: a total assessment value; a date of sale; an adjusted sale price that included a 7% personal property allowance; and a ratio of assessed value to adjusted sale. Based on this information, the appellant requested an assessment reduction to \$22,381.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$24,346. The subject's assessment reflects a market value of \$243,460 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 its contention of the correct assessment, the board of review submitted information on eight comparable sales located in the subject's building. Based on an analysis of these condominium sales, the county suggested that the subject property's market value should be \$248,359.

Conclusion of Law

The appellant contends the subject's assessment is excessive based on the appellant's own sales ratio study. Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence." 5 ILCS 100/10 15. 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 hand-picked then provided limited sales information for 15 suggested comparables located in the subject's building that sold between 2011 and 2015. 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 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 building. 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.

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: October 16, 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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