



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

APPELLANT: 1831 North Sheffield Condo. Assoc.
DOCKET NO.: 15-36974.001-R-1 through 15-36974.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1831 North Sheffield Condo. Assoc., the appellant, by attorney Stephanie Park of Park & Longstreet, P.C. in Rolling Meadows; 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
15-36974.001-R-1	14-32-411-085-1001	13,500	30,150	\$43,650
15-36974.002-R-1	14-32-411-085-1002	13,500	30,150	\$43,650

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 two residential condominium units located in the same condominium building. The property is located in Chicago, North Chicago Township, Cook County. The units are classified as class 2-99 residential condominiums 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 estimating one of the units in the condominium had a market value of \$415,000 as of July 11, 2012. Based on this appraisal and making a 10% deduction to account for personal property and the percentage interest in the common elements, the appellant requested the assessment be reduced to \$70,550 to reflect a combined market value for the two units of \$705,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$101,376. The subject's assessment reflects a market value of \$1,013,760, when applying the 10% level of assessments for class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

Included with the board of review submission was a Motion to Dismiss based on the argument the appellant's appraisal rendered an opinion of value well before January 1 of the instant assessment year. The board of review contends the appellant failed to provide "substantive, documentary evidence or legal argument sufficient to challenge the correctness of the assessment" and such "failure to do so will result in dismissal of the appeal" in accordance with section 1910.63(b) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.63(b)).

The board of review also provided a condominium analysis using a sale of one of the units under appeal that occurred in January 2012 for a price of \$485,000. A deduction of 10% or \$48,500 from the total consideration was made to account for personal property to arrive at a total adjusted consideration of \$436,500. The total adjusted consideration was divided by the purported percentage of interest of ownership in the condominium for the unit that sold of 50% to arrive at an indicated full value for the condominium property of \$873,000. Based on this analysis the board of review indicated it would stipulate to a revised total assessment of \$87,300.

In response to the Motion to Dismiss the appellant asserted that the court in *Cook County Board of Review v. Property Tax Appeal Board*, 334 Ill.App.3d 56, 777 N.E.2d 622 (1st Dist. 2002) held:

There is no requirement that a taxpayer must submit a particular type of proof in support of an appeal. The rule [86 Ill.Admin.Code §1910.65(c)] instead sets out the types of proof that *may* be submitted. . . Whether a two-year old appraisal is "substantive, documentary evidence" of a property's value goes to the weight of the evidence, not its admissibility."

The appellant contends the rules of the Property Tax Appeal Board do not require a valuation date to be the same as the lien date and the Property Tax Appeal Board is free to determine whether an appraisal provides "substantive, documentary evidence." The appellant requested the Motion to Dismiss be denied.

The appellant also accepted the board of review proposed stipulation of \$87,300.

Conclusion of Law

The Property Tax Appeal Board will initially address the motion to dismiss filed by the Cook County Board of Review on the basis that the appellant's appraisal, with an effective date of July 11, 2012, was not "substantive, documentary evidence or legal argument sufficient to challenge the correctness of the assessment." The board of review contends the appellant failed to satisfy the burden of going forward and the appeal should be dismissed pursuant to section 1910.63(b) of the rules of the Property Tax Appeal Board. The Property Tax Appeal Board denies the motion to dismiss finding the appellant's appraisal, which has an effective date that is

approximately two years and five months prior to the assessment date at issue, is sufficient evidence to challenge the assessment. The fact the appraisal's effective date is different than the assessment date at issue goes to the weight of the evidence not its admissibility. *Cook County Board of Review v. Property Tax Appeal Board*, 334 Ill.App.3d 56, 59, 777 N.E.2d 622 (1st Dist. 2002).

The Board further finds the record in this appeal contains a proposed assessment for the subject property submitted by the board of review. The appellant was notified of this suggested agreement and responded that it accepted the proposed assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that the assessed valuation proposed by the board of review is appropriate and a reduction in the 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



Acting 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: August 18, 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.