



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

APPELLANT: Michael Fitzgerald  
DOCKET NO.: 15-37659.001-R-1 through 15-37659.004-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Michael Fitzgerald, the appellant(s), by attorney Chris D. Sarris, of Steven B. Pearlman & Associates 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
15-37659.001-R-1	17-06-326-044-1001	1,601	24,704	\$26,305
15-37659.002-R-1	17-06-326-044-1002	2,313	35,684	\$37,997
15-37659.003-R-1	17-06-326-044-1003	2,402	37,057	\$39,459
15-37659.004-R-1	17-06-326-044-1004	2,580	39,802	\$42,382

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 four-unit residential condominium building. The building is eight years old and is situated on a 2,966 square foot parcel located in West Chicago Township, Cook County. It is classified as class 2-99 property under the Cook County Real Property Classification Ordinance.

The appellant, via counsel, submitted evidence before the Board arguing overvaluation based on two distinct sales analyses. Three suggested sale comparables were submitted in support of a reduction for PIN -1001, a one-bedroom, one-bath unit. Three additional suggested sale comparables were submitted in support of a reduction for PINs -1002, -1003, and -1004, which are the three-bedroom, two bath units. In support of this claim, the appellant included printouts

from the MLS. None of these sales were located in the subject's building and the percentage of ownership in the common elements was not provided.

The sales provided for PIN -1001 sold from 2014 through 2016 for sale prices ranging from \$182,000 to \$229,000, or \$151.67 to \$218.10 per square foot, including land. The appellant requested a market value based on the average price of these three sales.

The sales provided for PINs -1002, -1003 and -1004 sold from 2014 through 2015 for sale prices ranging from \$255,000 to \$365,000, or \$202.78 to \$221.74 per square foot, including land. The appellant requested a market value for the subject units based on the average price of these three sales.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the subject's total assessment of \$146,143. The assessment reflects a total market value of \$1,461,430 for the subject when applying the assessment level of 10% as established by the Cook County Real Property Classification Ordinance. The board of review also submitted a memorandum from Katherine Latuszek, Cook County Board of Review Analyst. The memorandum indicated two units in the subject's building, or 56.0% of ownership, sold in 2014 and 2015 for a total consideration of \$880,000. An allocation of 7.0% for personal property was subtracted from the sales price, and then divided by the percentage of interest of the unit to arrive at a total market value for the building of \$1,461,428. No supporting evidence was submitted for the personal property deduction. The derived market value indicates an assessed value for the subject of \$146,143. Based on this analysis, the board of review 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 Board was provided with six sales from the appellant, distinguishing the number of bedrooms and bathrooms. The Board finds all of the sales were proximate to the January 1, 2015 valuation date, however, the appellant did not analyze any recent sales in the subject's building and did not provide the percentage of ownership in the common elements for any of the suggested comparable properties.

The sales provided by the board of review were located in the subject's building and were also proximate to the January 1, 2015 valuation date. The Board also notes that the board of review provided the percentage of ownership in the common elements for the four subject units, which provides the best basis to determine comparability. This clarifies and confirms that Unit -1001 is smaller than the three other units located in the subject building. Accordingly, the Board finds that the board of review's sales are the best indication of market value.

Based on the evidence submitted, the Board finds that the subject property had a market value of \$1,571,429 for the 2015 assessment year. As the subject's current market value is below this amount, the Board finds a reduction is not warranted based on the sales evidence contained in the record.

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.

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Chairman



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Member



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Member



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Member



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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: July 16, 2019



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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

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