



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

APPELLANT: 1836 W. Belmont Condo Assn.
DOCKET NO.: 16-24823.001-R-1 through 16-24823.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1836 W. Belmont Condo Assn., the appellant, 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
16-24823.001-R-1	14-19-433-048-1002	3,726	25,515	\$29,241
16-24823.002-R-1	14-19-433-048-1003	3,726	25,515	\$29,241
16-24823.003-R-1	14-19-433-048-1004	4,278	29,295	\$33,573

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 assessments for the 2016 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 4-story residential/commercial condominium building. The property contains one commercial unit on the first floor and three residential condominiums above, situated on a 3,000 square foot site. Only the three residential units are under appeal. The building is 11 years old. The property is located in Chicago, Lake View Township, Cook County. The subjects are classified as a class 2-99 residential condominium properties under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. In support of the inequity argument the appellant submitted information on five equity comparables with the same neighborhood code as the subject property. The comparables have different classifications codes than the subject property. The comparables are improved with 2-story

multi-family dwellings of frame or masonry exterior construction that range in age from 122 to 137 years old. Three of the dwellings have full basements, two of which are finished as an apartment. Four of the comparables have 1.5-car or 2-car garages. The dwellings range in size from 1,575 to 1,620 square feet of living area and have improvement assessments ranging from \$20,507 to \$25,632 or from \$13.02 to \$16.06 per square foot of living area.

The appellant's submission disclosed that parcel number 14-19-433-048-1002 was purchased in December 8, 2014 for a price of \$325,000. To document the sale, the appellant submitted a copy of the Warranty Deed and the Target Property Detail Report from Cook County.

The appellant's attorney requests a deduction to the recent sale based on the total percent ownership of recently sold units and a 10% personal property expense. The appellant's attorney also requested an additional deduction claiming the 2014 three-year median assessment level of the subject should be 8.16% instead of the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 2 property of 10%. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$75,151 or \$23,868 for PIN 1002 and PIN 1003 and \$27,415 for PIN 1004.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$92,055 or \$29,241 for PIN 1002 and PIN 1003 and \$33,573 for PIN 1004. The total assessment reflects a market value of \$920,550 when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10%. In support of the assessment the board of review submitted a table listing all of the subject units' percentages of ownership and assessed values prepared by Lilybeth Kafka, an analyst with the Cook County Board of Review. The evidence included the sale of parcel number 14-19-433-048-1002 within the subject's building that occurred December 2014 for a price of \$325,000. Based on this comparables sale, the analyst divided the total consideration of \$325,000 by the percentage of interest of the units sold to arrive at a full value of \$1,203,704. The analyst then multiplied the full value by the subject's percentage of ownership of 85.00% to arrive at the subject's full value of \$1,023,148.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends in part 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 on this basis.

The record contains one sale submitted by both parties to support their respective positions. The Board finds the current assessment for parcel number 14-19-433-048-1002 of \$29,241, is less than the assessment warranted by the subject's market value, therefore a reduction in the subject's assessment is not justified on this basis.

The appellant also contends the subject's assessment level should be 8.16% based on the median level of assessment for Lake View Township for tax year 2014. The Board finds the township median level of assessment for 2014 is not applicable in determining the assessed value in tax year 2016. Therefore, for purposes of this analysis, the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 2 property of 10% shall apply.

Furthermore, the taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The appellant submitted information on a total of five suggested equity comparables for the Board's consideration. The Board finds the appellant submitted dissimilar comparables for comparison. The use of dissimilar comparables does not demonstrate inequity by clear convincing evidence, therefore a reduction in the subject's assessment is not justified on this basis.

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: September 17, 2019



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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