



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

APPELLANT: 2728 N. Racine Condominium Assn.  
DOCKET NO.: 16-24831.001-R-1 through 16-24831.003-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 2728 N. Racine Condominium 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
16-24831.001-R-1	14-29-306-043-1001	6,844	36,797	\$43,641
16-24831.002-R-1	14-29-306-043-1002	5,158	27,731	\$32,889
16-24831.003-R-1	14-29-306-043-1003	7,836	42,130	\$49,966

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 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 3-story, 3-unit condominium building of brick exterior construction with 6,935 square feet of building area. The building is approximately 18 years old. The property has a 3,100 square foot site and is located in Chicago, Lake View 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 assessment inequity and contention of law as the bases of the appeal. In support of the inequity argument the appellant submitted information on five equity comparables. Two of the comparables have the same neighborhood code as the subject property. The comparables have different classification codes than the subject property. The comparables are improved with 3-story multi-family dwellings of masonry exterior construction that range in

age from 1 to 117 years old. Four of the comparables have full basements, one of which has finished area. Three of the comparables have central air conditioning and two comparables have 2-car or 2.5-car garages. The dwellings range in size from 6,912 to 7,173 square feet of living area and have improvement assessments ranging from \$52,900 to \$90,385 or from \$7.37 to \$12.63 per square foot of living area.

The appellant's attorney also submitted a brief 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%. In support of this claim, the appellant submitted a printout of Assessment Ratios for 2014 showing the median level of assessment for Class 2 property for Lake View for 2014 was 8.16% as determined by the Illinois Department of Revenue. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$87,123.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$126,496. The subject property has an improvement assessment of \$106,658 or \$15.38 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables with the same neighborhood code as the subject property. The comparables have different classification codes than the subject property. The comparables are improved with one, 2-story and two, 3-story multi-family dwellings of masonry exterior construction that range in age from 16 to 25 years old. The comparables have full finished basements, central air conditioning, three to six fireplaces and 2-car to 4-car garages. The dwellings range in size from 6,428 to 7,221 square feet of living area and have improvement assessments ranging from \$120,592 to \$128,566 or from \$17.79 to \$20.00 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

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.

The parties submitted information on a total of eight suggested equity comparables for the Board's consideration. The Board finds the appellant's comparables and the board of review comparables are dissimilar comparables for comparison. The use of dissimilar comparables does not demonstrate inequity by clear convincing evidence. Moreover, the appellant's comparables #2 through #5 received little weight due to their dissimilar ages when compared to the subject property. Furthermore, less weight was also given to board of review comparable #1 due to its dissimilar dwelling design size when compared to the subject property.

Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

The Board finds the appellant's contention of law argument was not supported with legal citation and was more in the nature of an argument as to how to consider the equity data through application of the median of the comparables presented. As set forth above, the Board has weighed the equity data and gives little weight to counsel's median data argument.

Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment 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.

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Chairman



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Member

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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



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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

AGENCY

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

2728 N. Racine Condominium Assn., by attorney:  
Timothy E. Moran  
Schmidt Salzman & Moran, Ltd.  
111 West Washington Street  
Suite 1300  
Chicago, IL 60602

COUNTY

Cook County Board of Review  
County Building, Room 601  
118 North Clark Street  
Chicago, IL 60602