



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

APPELLANT: 3864 N Lincoln Ave. Condo Association  
DOCKET NO.: 16-24837.001-R-1 through 16-24837.003-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 3864 N Lincoln Ave. Condo Association, 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
16-24837.001-R-1	14-19-209-023-1002	3,894	37,389	\$41,283
16-24837.002-R-1	14-19-209-023-1003	3,894	37,389	\$41,283
16-24837.003-R-1	14-19-209-023-1004	4,308	41,358	\$45,666

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 4-story residential/commercial condominium building. The property contains one commercial unit on the first floor and three residential condominiums above, situated on a 3,132 square foot site. Only the three residential units are under appeal. The building is 9 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. The appellant's submission disclosed that parcel number 14-19-209-023-1002 was purchased on August 26, 2015 for a price of \$440,000 and parcel number 14-19-209-023-1004 was purchased

April 1, 2015 for a price of \$500,000. To document the sale, the appellant submitted a copy of the Target Property Detail Report from Cook County for both properties.

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 \$101,820 or \$32,786 for PIN 1002 and PIN 1003 and \$36,248 for PIN 1004.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$128,232 or \$41,283 for PIN 1002 and PIN 1003 and \$45,666 for PIN 1004. The total assessment reflects a market value of \$1,282,320 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 Dan Michaelides, an analyst with the Cook County Board of Review. The evidence included the sales of PIN 1002 and PIN 1004 within the subject's building. PIN 1002 sold on July 1, 2015 for a price of \$440,000 and PIN 1004 sold on March 1, 2015 for a price of \$500,000. Based on these comparable sales, the analyst divided the total consideration of \$874,200 by the percentage of interest of the units sold to arrive at a full value of \$1,668,957.

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 two sales submitted by both parties to support their respective positions. The Board finds the current assessments for parcel numbers 14-19-209-023-1002 of \$41,283 and 14-19-209-023-1004 of \$45,666, reflect market values less than their purchase prices, therefore a reduction is not justified on this basis. The Board finds these sales demonstrate the subject property is not overvalued.

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 Board finds the only evidence of assessment inequity in this record to be the comparables submitted by the appellant and the board of review. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessment and 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.

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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: October 15, 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

3864 N Lincoln Ave. Condo Association, 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