



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

APPELLANT: Carmen Court Condo Association  
DOCKET NO.: 17-29892.001-R-1 through 17-29892.016-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Carmen Court Condo Association, the appellant(s), by attorney Margaret E. Graham, of Dykema Gossett PLLC 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>
17-29892.001-R-1	14-08-304-057-1001	3,696	22,257	\$ 25,953
17-29892.002-R-1	14-08-304-057-1002	3,755	22,615	\$ 26,370
17-29892.003-R-1	14-08-304-057-1003	3,810	22,942	\$ 26,752
17-29892.004-R-1	14-08-304-057-1004	2,411	14,522	\$ 16,933
17-29892.005-R-1	14-08-304-057-1005	3,268	19,678	\$ 22,946
17-29892.006-R-1	14-08-304-057-1006	3,333	20,070	\$ 23,403
17-29892.007-R-1	14-08-304-057-1007	3,392	20,429	\$ 23,821
17-29892.008-R-1	14-08-304-057-1008	3,013	18,145	\$ 21,158
17-29892.009-R-1	14-08-304-057-1009	3,100	18,667	\$ 21,767
17-29892.010-R-1	14-08-304-057-1010	3,159	19,026	\$ 22,185
17-29892.011-R-1	14-08-304-057-1011	3,268	19,678	\$ 22,946
17-29892.012-R-1	14-08-304-057-1012	3,333	20,070	\$ 23,403
17-29892.013-R-1	14-08-304-057-1113	3,392	20,429	\$ 23,821
17-29892.014-R-1	14-08-304-057-1114	3,696	22,257	\$ 25,953
17-29892.015-R-1	14-08-304-057-1115	3,755	22,615	\$ 26,370
17-29892.016-R-1	14-08-304-057-1116	3,810	22,942	\$ 26,752

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 2017 tax year. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

### **Findings of Fact**

The subject consists of 16 condominium units with a 100.00% ownership interest in the common elements. The property is located in Lakeview Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance. No evidence was submitted as to whether any of the subject units are owner-occupied.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an analysis showing that four units in the subject's building, or 24.63% of ownership, sold from September 2014 to March 2016 for an aggregate price of \$1,008,500. The appellant deducted \$7,500 per unit sold from the aggregate sale price to account for personal property. The aggregate sales price, less the personal property deduction, was then divided by the percentage of interest of the units sold to arrive at a total market value for the building of \$3,972,797. The appellant then deducted 10.0% from the building's estimated market value to account for "deferred maintenance, repairs, reserve, and depreciation" to arrive at an adjusted market value of \$3,575,517. Based on this evidence, the appellant requested that the subject's assessment be reduced to \$346,468, after applying the Illinois Department of Revenue three-year average median level of assessment for class 2 property of 9.69%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$380,533. The subject's assessment reflects a market value of \$3,805,330 when applying the 2017 statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00%.

In support of the subject's assessment, the board of review submitted an analysis showing that eight units in the subject's building, or 50.77% of ownership, sold from September 2014 to June 2017 for an aggregate price of \$2,148,400. The aggregate sales price was then divided by the percentage of interest of the units sold to arrive at a total market value for the building of \$4,231,633.

### **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.

Initially, the Board notes that appellant comparables #1, #2, #3, and #4 represent the same properties and sale transactions as board of review comparables #1, #6, #7, and #8, respectively. The Board finds that the best evidence of market value to be all of the sale comparables submitted by the parties. Thus, the Board will take the sum of the sale prices of the most similar sales, divide by the total percentage of ownership of the units sold, and multiply the result by the

subject's percentage of ownership, which results in a market value of \$4,176,711.<sup>1</sup> The subject's current assessment reflects a market value below the market value reflected by the most similar sale comparables. The Board finds that there was no evidence submitted to show that personal property was included in any of the sale transactions, and that no deduction is warranted for this factor. Moreover, the appellant did not submit any evidence regarding the subject's alleged "deferred maintenance, repairs, reserve, and depreciation," and, as such, the Board finds that no deduction is warranted for this factor. Finally, the Board finds that the 2017 statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.00% is applicable in this appeal, as the appellant has provided no argument to justify using a different level of assessment than what is provided in statute. See 86 Ill.Admin.Code §1910.50(c)(2). Therefore, the Board finds that the appellant has not proven, by a preponderance of the evidence, that the subject is overvalued, and a reduction in the subject's assessment is not warranted.

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<sup>1</sup> The Board notes that this calculation is different from the board of review's calculation, as the board of review's analysis appears to include two errors. First, the aggregate sale price for all eight sale comparables was \$2,148,500, and not \$2,148,400 as found in the board of review's analysis. Second, the total percentage of ownership of the eight sale comparables was 51.44%, and not 50.77% as found in the board of review's analysis. In this Final Administrative Decision, the Board has used the correct figures.

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: June 8, 2021



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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