



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

APPELLANT: Mark Zuehl
DOCKET NO.: 17-33983.001-R-1 through 17-33983.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Mark Zuehl, the appellant, by attorney Scott L. David, of Much Shelist, 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
17-33983.001-R-1	24-04-417-046-1008	842	12,465	\$13,307
17-33983.002-R-1	24-04-417-046-1142	44	662	\$706
17-33983.003-R-1	24-04-417-046-1118	55	828	\$883

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 finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a residential condominium unit and two parking space with 1.43%, 0.095% and 0.076% ownership interests in the common elements, respectively, of the 69-residential unit condominium development that is approximately 12 years old with 74 parking spaces. The property is located in Oak Lawn, Worth Township, Cook County. The subject parcels are each classified as class 2-99 properties under the Cook County Real Property Assessment Classification Ordinance.

The appellant originally filed an appeal marking the basis of appeal as recent appraisal along with a request for an extension of time to submit evidence. The appellant's subsequent submission of evidence lacked the necessary basis of appeal (35 ILCS 200/16-180; 86 Ill.Admin.Code §1910.30(j)) but provided a completed Addendum with both the assessments and appellant's claims for the three parcels along with a brief and supporting documentation. The

brief asserts overvaluation of the subject condominium units based on sales within the development. Therefore, the Board will analyze this appeal based on the brief and evidence wherein the appellant implies overvaluation as the basis of this appeal.

Appellant's counsel submitted information on eight sales of residential condominium units and their associated parking spaces in the subject's building. It was reported that the total consideration for these eight sales of 17 parcel numbers, that occurred from September 2014 to November 2016, was \$1,349,500. A deduction of \$134,950 was made by counsel to account for "personal property" resulting in a total adjusted consideration of \$1,214,550. The total adjusted consideration was next divided by the percentage of interest of ownership in the units that sold of 13.875% to arrive at an indicated full value for the condominium of \$8,753,514 or a total assessment, when applying the 10% level of assessment, of \$875,351. Applying the total percentage of ownership in the subject's condominium and parking spaces of 1.601%, the appellant contends the total assessment for the subject parcels should be \$14,014, reflecting a market value of approximately \$140,140.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$14,896. The subject's assessments reflect a market value of \$148,960, when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10%. The board of review submission included a listing of 143 condominium units/parking spaces in the subject building identifying the parcel number (PIN) and percentage of ownership in the condominium. The list reported the subject three units had a total 1.601% ownership interest in the condominium.

In support of the assessment the board of review submitted an analysis using 16 sales of units/parking spaces from the subject's condominium development, which included all but one of the parcel numbers identified by the appellant. The total consideration for the sales of units in the condominium that occurred from August 2014 to November 2016 was \$1,236,964. No adjustment factor was applied. Then, the percentage of interest of ownership in the sold units of 12.31% was applied to the total consideration to arrive at an indicated full value for the entire condominium development of \$10,048,448. Applying the subject's (three combined units') percentage of ownership in the condominium of 1.601% to the estimated total value of the condominium resulted in a market value estimate of \$160,876 or an assessment of \$16,088 when applying the Cook County Real Property Assessment Classification Ordinance (Ordinance) level of assessments for class 2-99 property of 10%.¹ Although the board of review's submission displays an assessment higher than the subject's parcels' current combined assessment, nevertheless the board of review requested confirmation of the subject parcels' assessments.

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

¹ The Board further recognizes that the Cook County Board of Review submission included a second analysis wherein a 1/% adjustment factor of \$12,368 was applied to the sum of the total consideration paid for 16 sales of \$1,236,964.

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 appellant provided eight comparable sales of 17 parcels, while the board of review provided a sales analysis of sixteen comparable sales, which includes all but one common parcel with the appellant, to support their respective positions before the Property Tax Appeal Board. As an initial matter, the Board gives reduced weight to the subject's estimated market value as indicated by both parties as both parties' sales analysis has included four sales that occurred in 2014, a date less proximate in time to the assessment date at issue, thus, less likely to reflect the subject's market as of January 1, 2017.

The Board finds the best analysis to be removal of the four dated sales from 2014 in the board of review's analysis and no consideration given to any deduction for personal property which is not supported in the record. The appellant provided no evidence demonstrating that any amount of the purchase price included consideration for personal property or any identification of those items considered personal property.

Taking the board of review's submission and excluding the total consideration for the four sales from 2014, the remaining recent sales of twelve sales of 5 residential units and 7 parking spaces with a combined total purchase price of \$899,464. These units had a total combined percent of ownership in the condominium of 8.897%. Dividing the combined purchase prices by the percentage of ownership in the condominium results in a total value for the condominium of \$10,109,744. Applying the subject's percentage of ownership of 1.601% to the total market value results in a market value for the subject unit of \$161,857 and an assessment of \$16,186 when applying the Ordinance level of assessments for class 2-99 property of 10%, which is above the subject's assessment. Based on this evidence the Board finds 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.



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: July 20, 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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