



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

APPELLANT: Mozell Barnes
DOCKET NO.: 18-39783.001-R-1 through 18-39783.007-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Mozell Barnes, the appellant(s), by attorney Noah J. Schmidt, 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 **A Reduction** 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 |
|------------------|----------------------|-------------|----------------|--------------|
| 18-39783.001-R-1 | 25-06-206-047-1001 | 445 | 359 | \$804 |
| 18-39783.002-R-1 | 25-06-206-047-1010 | 445 | 359 | \$804 |
| 18-39783.003-R-1 | 25-06-206-047-1015 | 712 | 575 | \$1,287 |
| 18-39783.004-R-1 | 25-06-206-047-1020 | 445 | 359 | \$804 |
| 18-39783.005-R-1 | 25-06-206-047-1032 | 712 | 575 | \$1,287 |
| 18-39783.006-R-1 | 25-06-206-047-1034 | 445 | 359 | \$804 |
| 18-39783.007-R-1 | 25-06-206-047-1036 | 712 | 575 | \$1,287 |

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 2018 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 properties consist of seven residential condominium units with a 17.6% ownership interest in the common elements. The units are situated in a 38-unit, 46-year-old, four-story building of masonry construction. The property has a 29,690 square foot site and is located in Chicago, Lake 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 overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. The appellant requested a reduction of market value of the residential units sold by 5% for personal property. Additionally, the appellant requested an assessed valuation at 8.57% level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$34,175 for all seven units. The subject's assessment reflects a market value of \$341,750 for all seven units, including land, when applying the Cook County Real Property Assessment Classification Ordinance of 10%. In support of its contention of the correct assessment the board of review submitted a condominium analysis for 2019 using one comparable sale. Furthermore, in the "Board of Review Notes on Appeal" the board of review agreed to stipulate to a lower assessed value of \$10,560. The board of review wrote, "Recent sales in the building are all compulsory/distressed sales. However, the surrounding market appears distressed. The sale used in the analysis most accurately reflect the market. Additionally, the one comparable sale used by the board of review was also used by the appellants.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the four comparable sales which were used in the appellant's condominium analysis and the one comparable sale used in the board of review's condominium analysis. However, the Board does not find evidence to support a reduction in the market value of the residential units sold by any amount allocated for personal property.

Additionally, the Board finds that it is not authorized to apply an assessment level to the subject property other than the 10% assessment level found in the Cook County Real Property Assessment Classification Ordinance. The Board finds that this rule requires annual sales ration studies from the previous three years, which the appellant failed to provide.

Based on evidence submitted, the Board finds that the condominium building had a market value of \$402,174 for the 2018 assessment year. As the subject units reflected a percentage ownership in the common elements of 17.6%, a market value for the subject units of \$70,783 is indicated. An assessed valuation of \$7,077 when using the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2 property of 10%.

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 18, 2023



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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