



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

APPELLANT: North Park Menomonee Condo Assn.
DOCKET NO.: 18-41137.001-R-2 through 18-41137.004-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are North Park Menomonee Condo Assn., 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 **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
18-41137.001-R-2	14-33-413-040-1003	11,685	70,124	\$ 81,809
18-41137.002-R-2	14-33-413-040-1004	11,685	70,124	\$ 81,809
18-41137.003-R-2	14-33-413-040-1005	11,685	70,124	\$ 81,809
18-41137.004-R-2	14-33-413-040-1006	11,685	70,124	\$ 81,809

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) after receiving a decision from the Cook County Board of Review. The instant appeal challenges the assessment for tax year 2018. The Property Tax Appeal Board (the “Board”) finds that it has jurisdiction over the parties and the subject matter of this appeal.

Findings of Fact

The subject consists of four condominium units with a 60.04% total ownership interest in the common elements. The property is located in North Chicago Township, Cook County. The subject units are all classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance (the “Classification Ordinance”).

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables. All of these equity comparables were classified as class 2-11 property under the Classification Ordinance. Based on this evidence, the appellant requested a reduction in the subject’s assessment to \$158,616.

The board of review submitted its “Board of Review Notes on Appeal” disclosing that the total assessment for the subject is \$327,236.

In support of its contention of the correct assessment the board of review submitted a condominium analysis showing that two units in the subject’s building, or 30.20% of ownership in the common elements, sold between July 1997 and May 1999 for an aggregate price of \$579,000. This analysis included two of the subject units. The board of review adjusted the aggregate sale price upwards 65.00%. The adjusted aggregate sales price of \$988,252 was then divided by the percentage of ownership interest in the common elements of the units sold to arrive at a total market value for the building of \$3,272,360.

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 proven 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 that a reduction in the subject’s assessment is not warranted.

“Real property taxes . . . which are authorized by law to be assessed against and levied upon real property shall be assessed against and levied upon each unit and the owner’s corresponding percentage of ownership in the common elements as a tract, and not upon the property as a whole.” 765 ILCS 605/10(a).

The Board finds that none of the equity comparables submitted by the appellant were similar to the subject. The subject units are condominium units that are classified as class 2-99 property under the Classification Ordinance. The Cook County Assessor defines a class 2-99 property as a “residential condominium.” The equity comparables submitted by the appellant are multi-family dwellings that are classified as class 2-11 property under the Classification Ordinance. The Cook County Assessor defines a class 2-11 property as an “apartment building with 2 to 6 units, any age.” These two types of properties are not similar. Additionally, the subject units only constitute part of the building that they reside in, as they only consist of 60.04% of the total ownership interest in the common elements. The equity comparables submitted by the appellant consist of entire buildings. Again, these two types of properties are not similar. Based on this record, the Board finds the appellant has not proven, with clear and convincing evidence, that the subject is inequitably assessed, and that a reduction in the subject’s assessment is not warranted.

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 19, 2022



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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