



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

APPELLANT: Dan Scalpone
DOCKET NO.: 18-48080.001-R-1 through 18-48080.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Dan Scalpone, the appellant(s), by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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
18-48080.001-R-1	17-05-101-090-1001	3,571	16,429	\$20,000
18-48080.002-R-1	17-05-101-090-1002	2,925	17,075	\$20,000
18-48080.003-R-1	17-05-101-090-1003	3,716	18,784	\$22,500

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 property consists of a three-unit, 10-year-old condominium building. The subject property's three units are numbered #1, #2, and #3 and have 1,758¹, 1,118, and 1,309 square feet of living area, respectively. The property is located on a 3,004 square foot site and is located in Chicago, West Chicago 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 a separate appraisal for each of the three units. Each appraisal utilized the sales comparison approach. The three appraisals found the market value for each unit as of

¹ The appraisal references 575 square feet above ground and 1,183 square feet of living area below ground.

January 1, 2018. Unit #1 had a market value of \$200,000, unit #2 had a market value of \$200,000, and unit #3 had a market value of \$225,000, or a total of \$625,000 for the entire building. The appraisal was written and signed by a licensed appraiser who submitted their credentials with the report. Additionally, the appraiser noted significant structural issues greatly effecting the value of the building (e.g. improperly designed building and as a result the building sways in even moderate winds which in turn has caused cracking to the exterior brick, permeation of water into the sub-roofing, and a multitude of other issues). The appraiser referenced an engineering report detailing how the subject property does not meet Chicago city codes. The estimated cost to cure these deficiencies was between \$828,417 to \$1,009,640.

The appellant submitted a 2019 Assessed Valuations decision from the Board of Review that disclosed the total assessment for the subject of \$139,516². The subject's assessment reflects a total market value of \$1,395,160 when applying the 10% level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales by submitting Redfin printouts.

Prior to a scheduled February 14, 2025, hearing before a PTAB Administrative Law Judge the parties entered into a written agreement to waive hearing and have a decision rendered based on the previously submitted evidence.

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 appraisal submitted by the appellant. The appraisal utilized the sales comparison approach. The appraisal was written and signed by a licensed appraiser who submitted their credentials with the report. The appraiser used their experience and expertise to make adjustments to their data to better draw comparisons to the subject property. The Board gives significant weight to the appraisal submitted by the appellant as it takes into consideration the serious and significant structural issues identified in both the structural engineering report authored by Clark T. Baurer and the letter from Don Van Cura Construction with the line items of defects that need to be cured. In contrast, the board of review's evidence contained raw, unadjusted sales figures without the benefit of expert analysis. The appraisal report was also uncontroverted. The subject's assessment reflects a market value of \$1,395,160 which is above the appraised value. The Board finds the subject property had a market value of \$625,000 as of the assessment date at issue. Since market value has been established the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2).

² -1001 at \$52,618, -1002 at \$43,094, -1003 at \$43,804

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:

April 15, 2025



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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