



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

APPELLANT: Joyce M. Rutland
DOCKET NO.: 18-51295.001-R-1
PARCEL NO.: 14-06-106-037-1001

The parties of record before the Property Tax Appeal Board are Joyce M. Rutland, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich, 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:

LAND: \$5,216
IMPR.: \$19,973
TOTAL: \$25,189

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a final administrative decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 residential condominium unit located in a 17-unit condominium building constructed in 1927 and is approximately 91 years old. The condominium has a 15.4258% ownership interest in the condominium. The condominium has an 8,455 square foot site located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on October 28, 2016, for a price of \$152,000. The appellant completed Section IV – Recent Sale Data of the appeal indicating the parties to the transaction were not related, the property sold through a Realtor, and the property had been advertised for sale in the Multiple Listing Service (MLS). As further

documentation the appellant submitted a copy of the settlement statement dated October 28, 2016, and identifying the seller as Coung Pham. The settlement statement indicated the sales price was \$152,000 and further disclosed real estate commission fees totaling \$6,460. The appellant also provided a copy of the MLS listing sheet associated with the sale of the subject property indicating the purchase price of \$159,000 and stated the marketing time was 158 days. The listing described the condominium unit as having approximate 2,100 square feet of living area, central air conditioning, three bedrooms, four bathrooms, finished basement area, a second kitchen, and being a well-maintained huge duplex condominium. The appellant also submitted a copy of a PTAX-203 Illinois Real Estate Transfer Declaration purportedly associated with the sale of the subject property again indicating the purchase price was \$152,000, however, the declaration was not signed and had no recording date on the document.

In further support of the overvaluation argument the appellant provided information on six comparable sales improved with residential condominium units that were built from 1918 to 1930. These properties were located from approximately .09 to .25 of a mile from the subject property with sites ranging in size from 4,340 to 14,437 square feet of land area. No other descriptive information about the comparables was provided. The sales occurred from February 2017 to July 2018 for prices ranging from \$110,000 to \$179,000.

The appellant indicated the subject had a total assessment of \$38,685 and requested the subject's total assessment be reduced to \$14,725.

The board of review submitted its "Board of Review Notes on Appeal" disclosing a total assessment for the subject of \$20,449, which differs from the appellant's reported total assessment for the subject of \$38,685. The Board takes notice, pursuant to Section 1910.90(i) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.90(i)), that the assessment history of the subject property as reported on the Cook County Property Tax Portal website disclosed the subject property had a total assessment for 2018 of \$38,685.¹ The subject's total assessment of \$38,685 reflects a market value of \$386,850 when using the level of assessments for class 2-99 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted a copy of a Condominium Analysis Results for 2022 for the subject's condominium building disclosing the subject unit has a 15.4258% ownership interest in the complex. In support of its contention of the correct assessment the board of review submitted information on two comparable sales of condominium units located in the subject's building that had 4.3670% and 5.9223% ownership interest in the subject's condominium, respectively. These comparables sold in September 2018 and August 2018 for prices of \$118,000 and \$149,900, respectively. The board of review determined that the total adjusted consideration for the two units was \$267,900. The board of review then divided the total adjusted consideration by the combined percentage of ownership interest the two units held in the condominium of 10.2892% resulting in a full market value for the building of \$2,603,701.² Multiplying the full market value of the building by the subject's percentage of ownership of

¹ See <https://www.cookcountypropertyinfo.com/pinresults.aspx>.

² The board of review computation included a slight error in that the total combined interest in the condominium of the two units that sold was 10.2893%.

15.4258% resulted in an estimated value for the subject unit of \$410,642 and a total assessment of \$40,164 when applying the level of assessment for class 2-99 property of 10%.

Based on this evidence the board of review requested the Property Tax Appeal Board dismiss the appeal and/or find in favor of the Cook County Board of Review and leave the assessment unchanged.

In rebuttal the appellant's counsel argued the board of review did not refute any of the comparable sales presented by the appellants and the board of review sales support a reduction in the subject's assessment.

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 evidence in the record supports a reduction in the subject's assessment.

The Board finds the best evidence of market value in the record includes the sale of the subject property that occurred in October 2016 and the two sales of residential condominium units located in the subject's condominium building identified by the board of review that sold in August 2018 and September 2018. These three residential condominiums have a combined interest in the condominium building of 25.7151%. These three properties had a combined total sales price of \$419,900. Dividing the total sales price by the combined percentage of ownership interest in the condominium results in a full value for the building of \$1,632,893. Multiplying the full value by the subject's percentage of ownership in the condominium of 15.4258% results in a market value of the subject property of \$251,887 and a total assessment of \$25,189 when applying the level of assessment for class 2-99 property of 10% under the Cook County Real Property Assessment Classification Ordinance, which is less than the total assessment for the subject property.

The Board gives less weight to the comparable sales presented by appellant as there was no showing that these residential condominiums were similar to the subject condominium unit in size and features. Nor did the appellant demonstrate the comparable residential units are located in condominiums that are similar to the subject condominium in number of units and had similar condominium declarations as the subject property.

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:

May 21, 2024



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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