



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

APPELLANT: Madison Place Condominium Association
DOCKET NO.: 19-31740.001-R-1 through 19-31740.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Madison Place Condominium Association, the appellant, by attorney Jeffrey G. Hertz of Sarnoff & Baccash 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
19-31740.001-R-1	10-21-405-077-1111	1,821	45,718	\$47,539
19-31740.002-R-1	10-21-405-077-1167	1,808	45,395	\$47,203
19-31740.003-R-1	10-21-405-077-1170	1,859	46,661	\$48,520

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 2019 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 three penthouse units in a 172-unit condominium building. PIN -1111 reflects a 1.0907% ownership interest in the common elements, PIN -1167 reflects a 1.0830% ownership interest in the common elements, and PIN -1170 reflects a 1.1132% ownership interest in the common elements. The building is 19 years old and is situated on a 208,758 square foot site located in Niles Township, Cook County. It is classified as class 2-99 property under the Cook County Real Property Classification Ordinance.

The appellant, via counsel, submitted evidence before the Board arguing overvaluation based on each of the three subject unit's individual purchase prices. The appellant indicated that Unit 2-604 identified by PIN -1111 was purchased for \$375,000 on October 6, 2018, Unit 604 identified by PIN -1167 was purchased for \$271,000 on May 15, 2017, and Unit 609 identified by PIN -

1170 was purchased for \$325,000 on October 4, 2017. Printouts from the Multiple Listing Service and the Cook County Recorder of Deeds website were provided as evidence of each of these separate transactions. Based on this evidence, the appellant requested that each individual unit's assessment be reduced to reflect 10% of its purchase price.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the subject's total assessment of \$143,262. The assessment reflects a total market value of \$1,432,620 for the subject when applying the assessment level of 10% as established by the Cook County Real Property Classification Ordinance.

The board of review also submitted an analysis of recent sales in the subject's building. The board's analysis relied on 47 sales in the subject's building, all of which occurred from 2016 through 2019. Total consideration from the sales was calculated to be \$12,173,200. The board of review then divided the market value by the percentage of interest of units sold, or 27.9306%, and concluded a market value for the subject's entire building of \$43,583,739. Based on each of the subject unit's percentage of ownership in the common elements, each unit's respective market value would be as follows: \$475,368 (PIN -1111), \$472,012 (PIN -1167), and \$485,178 (PIN -1170). Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

Both parties waived their right to an oral hearing and requested that a decision be rendered based upon their written submissions.

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 proven 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 did not meet this burden of proof and 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** (emphasis added) as a tract, and not upon the property as a whole.” 765 ILCS 605/10(a).

Initially, the Board notes that the appellant provided a basic printout from the Cook County Recorder of Deeds' website and a printout from the MLS as the sole evidence of the subject sales that occurred in 2017 and 2018. No contract, closing statement or settlement statement was provided as supportive evidence. Although the subject sales occurred within three years of the lien date, the board of review provided numerous sales that occurred in the lien year. An analysis of the sales that occurred during the lien year yields to assessed values ranging between \$50,178 and \$51,577 for the subject units, which is higher than the subject's current assessed values.

Nonetheless, the Board finds it was provided with 47 sales in the subject's building. The board of review's sales analysis included the sales of the three penthouse units that are the subject of this

complaint. Notwithstanding the fact that the three subject units are part of a condominium association, the appellant is requesting that the Board analyze each of the three subject units' sales on its own merits, essentially ignoring each units' percentage of ownership in the common elements. This violates the uniformity clause prohibition against taxing properties at different proportions of their true cash value. *Apex Motor Fuel Co. v. Barrett*, 20 Ill.2d 395,401, 169 N.E.2d 769 (1960).

The Illinois Constitution's uniformity clause (Article IX, §4(a)) requires not only uniformity in the level of taxation, but also in the basis for achieving the levels regardless of a property's value. *Kankakee County Board of Review v. Property Tax Appeal Board*, 131 Ill.2d 1, 20, 544 N.E.2d 762 (1989). Therefore, regardless of a property's fair cash market value, uniformity in assessment must be achieved. The Board therefore finds that the sales analysis proffered by the board of review is the best evidence of the subject's market value while also adhering to the Condominium Property Act. (765 ILCS 605/1).

As the current assessed values are reflective of those established by the board of review's evidence, this Board finds the appellant has not proven by a preponderance of the evidence that the subject units are overvalued and 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:

October 17, 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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