



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

APPELLANT: Stuart Shiner  
DOCKET NO.: 19-38094.001-R-1  
PARCEL NO.: 17-08-115-029-1011

The parties of record before the Property Tax Appeal Board are Stuart Shiner, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Northbrook, 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:

**LAND:** \$2,504  
**IMPR.:** \$39,108  
**TOTAL:** \$41,612

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 is a unit in a 120-year-old, 15-unit condominium building that is located on a 9,707 square foot site 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 asserts overvaluation as the ground for the appeal. In support of this argument, the appellant submitted information on sales of four other units in the appellant's building. Appellant's unit represents a 7.59% interest in the common elements. The appellant also submitted a brief in which he asserted that adjustments should be made to the sales prices of these units based upon a personal property allocation and the Department of Revenue's sales-ratio study. Based on this evidence and argument, appellant sought a reduction in assessed value to \$39,574.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject as \$41,612. In support of its contention of the correct assessment, the board of review submitted its Condominium Analysis for 2019, which is based upon sales of eight other units in the subject's building. This analysis includes three of the sales relied upon by the appellant. The total consideration for the eight sales was \$3,050,000, and the eight units represented a 49.67% ownership interest in the common element. This translated to a value for the entire building of \$6,140,527. Multiplying this by of the subject unit's ownership interest of 7.59% amounted to a fair market value for the subject of \$466,066. This reflects an assessed value of \$46,606, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. That is above the subject unit's actual assessed value of \$41,612 for 2019.

### **Conclusion of Law**

When market value is the basis of the appeal, the taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d Dist. 2000). Proof of market value may consist of an appraisal of the subject property, a recent sale, documentation of at least three comparable sales and their similarities to the subject, or construction costs. 86 Ill. Admin. Code §1910.65(c).

The appellant argues that there should be downward adjustments to the sales prices of the other units in the subject's building to account for personal property and because of the applicable sales-ratio study from the Illinois Department of Revenue. The appellant, however, submitted no evidence to support its contention that these sales involved personal property. The appellant does not specify the items of personal property allegedly involved in the sales, or address the factors used by Illinois courts to determine whether property is real or personal. See A & A Market v. Pekin Ins. Co., 306 Ill. App. 3d 485, 488 (3d Dist. 1999). Nor has the appellant submitted any sales-ratio studies into evidence. Thus, appellant has failed to show that downward adjustments should be made to the sales prices of the other units of the subject's building.

This Board finds that the best evidence of the subject's market value is the Condominium Analysis for 2019 submitted by the board of review. That analysis used data from eight recent sales of other units in the subject unit's building to derive a fair market value for the entire building and the subject unit. This analysis included three of the four sales submitted by the appellant, excluding only an outdated April 2015 sales of a unit whose PIN number ends in 1005. As the board of review's analysis demonstrates, the eight sales indicate a value of \$466,066 for the subject unit, which would support an assessed value of \$46,606, well above the actual assessed value of \$41,612. The Board therefore finds that appellant failed to meet the requisite burden of proof, 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: \_\_\_\_\_

November 19, 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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