



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

APPELLANT: Marilyn Lauro
DOCKET NO.: 19-39764.001-R-1 through 19-39764.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Marilyn Lauro, the appellant, by attorney Nicholas Jordan, of Worsek & Vihon 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
19-39764.001-R-1	20-03-113-042-1005	1,768	9,714	\$11,482
19-39764.002-R-1	20-03-113-042-1006	1,768	9,714	\$11,482
19-39764.003-R-1	20-03-113-042-1008	1,847	10,149	\$11,996

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 units in an eight-unit, residential condominium building situated on a 7,762 square foot parcel of land. The building is 12-years old. The subject units have a combined percentage of ownership in the common elements of 40.80%. The property is located in Chicago, Hyde Park 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 information for four sale comparables within the subject building that sold between February 2017 and July 2017. They ranged in sale price from \$93,500 to \$105,000. The appellant deducted 10.00% from the aggregate sale price to account for personal property. The appellant then requested that the Board apply a “uniform debasement factor” of 9% based on the

Illinois Department of Revenue's 2017 median level of assessment for class 2 property of 8.97%. The appellant submitted a printout from the Illinois Department of Revenue in support of this argument.

The appellant also submitted printouts from the Cook County Recorder of Deeds' website, MLS printouts, and HUD-1 Settlement Statements in support of their sales argument. The documentation reflected that the four sales used in the appellant's analysis were all foreclosure sales. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$24,262 or, in the alternative, a reduction commensurate with the board of review's 2018 decision (also attached).

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$53,585. The subject's assessment reflects a market value of \$535,850 when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a condominium analysis showing that one unit in the subject's building sold in December 2020 (recorded in February 2021), for \$160,000. The sale price was then divided by the percentage of ownership interest in the common elements of the unit sold to arrive at a suggested total market value for the building of \$1,259,842. Based on this analysis, the board of review requested confirmation of the subject's current 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 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 meet this burden of proof, and a reduction in the subject's assessment is 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).

Initially, the Board finds the appellant's application of a 2017 sales ratio as referenced in 86 Ill.Admin.Code §1910.50(c)(2)(A) to be misguided. This rule requires annual sales ratio studies from the previous three years to be considered at the Board's discretion. Accordingly, the Board will apply the assessment level as established by the Cook County Real Property Assessment Classification Ordinance of 10% to any market value established by the Board.

In the instant case, the Board was provided with sales from both parties, all of which were for units located in the subject building. The Board finds the appellant utilized a personal property allocation in their analyses, however, there was no evidence in the record to support the use of this personal property deduction. Therefore, the Board finds this argument is without merit.

However, the Board finds a sales analysis, absent a personal property allocation, is accurate using the sales presented by the parties.

Based on evidence submitted, the Board finds that the condominium building as a whole had a market value of \$856,874 for the 2019 assessment year. Since the market value has been determined, the application of each subject unit's percentage of ownership in the common elements, as well as the assessment level of 10% as established by the Cook County Real Property Classification Ordinance, shall apply.

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 18, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Marilyn Lauro, by attorney:
Nicholas Jordan
Worsek & Vihon
180 North LaSalle Street
Suite 3010
Chicago, IL 60601

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602