



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

APPELLANT: 4335 Francisco Condominium Assoc.  
DOCKET NO.: 19-39951.001-R-1 through 19-39951.007-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 4335 Francisco Condominium Assoc., the appellant, by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
19-39951.001-R-1	13-13-306-036-1001	1,389	15,911	\$17,300
19-39951.002-R-1	13-13-306-036-1002	2,084	23,866	\$25,950
19-39951.003-R-1	13-13-306-036-1003	2,084	23,866	\$25,950
19-39951.004-R-1	13-13-306-036-1004	2,084	23,866	\$25,950
19-39951.005-R-1	13-13-306-036-1005	2,084	23,866	\$25,950
19-39951.006-R-1	13-13-306-036-1006	2,084	23,866	\$25,950
19-39951.007-R-1	13-13-306-036-1007	2,084	23,866	\$25,950

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 improved with a three-story condominium building containing seven units. The building is 91 years old, and it is located on a 6,317 square foot site in Chicago, Jefferson 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 and two contentions of law as the grounds for the appeal. In support of these arguments, the appellant submitted information on recent sales of three units in

the subject building. The unit whose PIN ends in 1002 sold for \$270,000 on March 22, 2018. The unit whose PIN ends in 1003 sold for \$260,000 on January 19, 2018. The unit whose PIN ends in 1006 sold for \$259,000 on August 2, 2017. The appellant also submitted a brief in support of the contentions of law.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject as \$173,000. In support of its contention of the correct assessment, the board of review submitted its Condominium Analysis Results for 2019. This included information about recent sales of the same three units upon which the appellant relied. The total consideration for those sales was \$789,000, and the three units sold constituted a 45% ownership interest. Based on that data, the full value of the seven units and the common elements was \$1,753,333, indicative of a total assessed value was \$175,333, which is greater than the actual assessed value of \$173,000.

### **Conclusion of Law**

As an initial matter, the appellant asserts that the COVID-19 pandemic supports the request for a reduced assessment. The Board distinguishes between a request for relief just because the pandemic occurred, and a request based on the pandemic's effect on market conditions, or the income-producing capacity of a given property. The Board lacks statutory authority to grant a reduced assessment solely because the pandemic occurred. And the appellant has presented no evidence that the pandemic had affected the subject's market value or income-producing capacity as of January 1, 2019, the relevant valuation date. See 35 ILCS 200/9-155. Accordingly, appellant has not shown entitlement to a reduction on this basis.

The appellant also argues that there should be a 10% reduction in the assessments to account for the fact that the sales relied upon by the parties involved personal property. The appellant, however, submitted no evidence to support its contention that these sales involved personal property. Appellants do not specify the items of personal property allegedly involved in the sales, nor do they 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). Appellant has failed to meet its burden of showing entitlement to relief by virtue of these contentions of law, so they do not warrant a reduction.

Finally, the appellant asserts overvaluation as a ground for appeal. 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, comparable sales or construction costs. 86 Ill. Admin. Code §1910.65(c). The Board finds that the appellant failed to meet this burden of proof.

The Board finds that the best evidence of market value is the three recent sales of units in the subject condominium building and the board of review's Condominium Analysis for 2019. It is noteworthy that the appellant and the board of review relied on the same three recent sales from the subject building and similar analyses. Both noted in their submissions that the total consideration for the sales was \$789,000, and the three units represented a 45% ownership

interest. The board of review concluded from this data that the value of a 100% ownership interest in the subject was \$1,753,333, which is indicative of an assessed value of \$175,333. Because the actual assessed value was lower than that, \$173,000, the board of review concluded that no reduction was warranted.

The only difference in the appellant's analysis was that it deducted 10% from the \$789,000 total consideration amount to account for the portion of the sales that allegedly involved personal property. This left a total consideration for the real property of \$710,100, producing a lower total value for the subject of \$1,578,000, indicative of a total assessed value of \$157,800.

As noted, above, however, the appellant did not produce any evidence supporting its assertion that 10% of the sales prices for the three sales was attributable to personal property. Therefore, the appellant has not met its burden of showing overvaluation by a preponderance of the evidence, and appellant is not entitled to a reduction on that or any other basis.

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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