



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

APPELLANT: Meredith Katz
DOCKET NO.: 19-50657.001-R-1
PARCEL NO.: 17-03-213-020-1078

The parties of record before the Property Tax Appeal Board are Meredith Katz, the appellant(s), by attorney Joanne Elliott, of Elliott & Associates Attorneys, PLLC in Des Plaines; 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: \$3,301
IMPR.: \$154,789
TOTAL: \$158,090

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 a single residential condominium unit located in an 88-year-old 98-unit residential condominium building of masonry construction. The subject consists of 2,158 square feet of living area and features two bedrooms and two and one-half bathrooms. The property is situated on 24,989 square feet site in Chicago, North Chicago Township, Cook County. It is 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 April 18, 2014, for a price of \$1,235,000. This evidence included the settlement statement and answers to Section IV – Recent Sale Data of their appeal. In a submitted brief the appellant indicated that the subject was purchased on April 18, 2014, for a gross price of \$1,235,000 in an arms-length transaction.

Additionally, the appellant requested that the 2019 three-year average median level of assessment of 9.28% apply.

Based on this evidence, the appellant argued that the 2014 sale of the subject provides compelling, if not conclusive evidence of market value as of January 1, 2019. The appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$158,090. The subject's assessment reflects a market value of \$1,580,900, land included, when applying the 10% Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted a condominium analysis with information on 17 suggested comparable sales in the building. The sales occurred between June 2016 and December 2019. They sold for a total consideration of \$42,171,400. The board of review disclosed the units sold consisted of 18.0680% of all units in the building. The result yielded a full value of the property at \$233,403,807. Since the subject comprised 0.7550313% of all the units in the building, the board of review suggested the market value of the subject to be \$176,220. Based on this evidence, the board of review requested that the assessment be confirmed.

In written rebuttal, the appellant argued that the submitted board of review's sales comparables should be accorded little or no weight by the Board. Appellant argued that the information on the board of review's suggested comparables were "raw/unconfirmed" and were not adjusted for differences between them and the subject. Additionally, in response to the board of review's evidence and in further support of the subject's market value as of January 1, 2019, the appellant submitted an appraisal valuing the subject at \$1,200,000.¹ The appellant reaffirmed the request for an assessment reduction.

Prior to a scheduled January 23, 2024, hearing before a PTAB Administrative Law Judge the parties entered into a written agreement to waive hearing and have a decision rendered based on the previously submitted evidence.

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, comparable sales or construction costs. 86 Ill. Admin. Code §1910.65(c). The Board finds the appellants *did not meet* this burden of proof and a reduction in the subject's assessment on this basis *is not warranted*.

¹ The appraisal reported the value of the subject as \$1,200,000 as of January 1, 2017, however, the appraisal was not submitted by the appellant as part of their case in chief. as evidence.

Initially, the Board finds that the appellant's appraisal was improperly submitted as rebuttal evidence, as such it was given no weight. "Rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparables. A party to the appeal shall be precluded from submitting its own case in chief in the guise of rebuttal evidence." 86 Ill.Admin.Code §1910.66(c). The Board finds that appraisal submitted by the appellant in rebuttal cannot be considered by the Board under this rule.

Additionally, the Board only considered appellant's evidence that supported the original basis of the appeal. The appellant's petition for appeal section 2d lists the sole basis for this appeal as a recent sale. Section 180 of the Property Tax code (35 ILCS 200/16-180) states that "[e]ach appeal shall be limited to the grounds listed in the petition filed with the Property Tax Appeal Board". The Board finds that appraisal submitted by the appellant in rebuttal cannot be considered by the Board under this rule.

As to overvaluation based on a recent sale, the Board finds that the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted. The appellant submitted a master statement with a settlement date of April 18, 2014, which lists the contract sale price to be \$1,235,000. The Board finds that the sale of the subject property in April of 2014 is too remote in time from the assessment date to be relevant and therefore this Board gives the 2014 sale of the subject property no weight. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

Furthermore, although moot, the Board accords no weight to the appellant's argument that the Illinois Department of Revenue's sales-ratio study median level of assessment of "9.28%" of recent sales prices should apply to the subject. The appellant did not provide any supplemental reports, material, or any evidence confirming their assertion that the median level of assessment was what they purported it to be. Pure argument alone, without supporting evidence, is insufficient to grant a reduction based on the level of assessment.

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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