



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

APPELLANT: Joan Condominium Association
DOCKET NO.: 19-55365.001-R-1 through 19-55365.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Joan Condominium Association, 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 **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
19-55365.001-R-1	14-17-115-039-1001	9,494	17,849	\$27,343
19-55365.002-R-1	14-17-115-039-1002	9,491	17,844	\$27,335
19-55365.003-R-1	14-17-115-039-1003	9,491	17,844	\$27,335

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a final administrative decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 3-unit residential condominium building that is approximately 110 years old. The property has a 5,933 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on a contention of law. The appellant asserted the subject was the subject matter of an appeal before the Board the prior tax year as Docket No. 18-28892 in which the Board issued a decision lowering the subject's combined assessment to \$82,013 based on the agreement of the parties. The appellant contended that the subject is an owner-occupied residence and 2018 and 2019 are within the same general assessment cycle. The appellant requested the subject's 2018 assessment be carried forward to the 2019 tax year.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total combined assessment for the subject of \$87,525. The subject's assessment reflects a market value of \$875,250, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The board of review reported that for tax year 2019 no equalization factor was applied to non-farm properties in Lake View Township. In support of its contention of the correct assessment the board of review submitted a condominium analysis based on sales of two of the subject parcels. These properties have ownership interests of 33.33% and 33.34% and sold in March 2021 and December 2022 for prices of \$640,000 and \$560,000, respectively. Based on these sales, the board of review calculated a value for the condominium of \$1,799,910. The board of review requested the subject's assessment be sustained.

Conclusion of Law

The appellant raised a contention of law asserting that the assessment of the subject property as established by the Board for the 2018 tax year should be carried forward to the 2019 tax year pursuant to section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). When a contention of law is raised the burden of proof is a preponderance of the evidence. (See 5 ILCS 100/10-15).

The Board finds, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds that the subject property was the subject matter of an appeal before the Board for the 2018 tax year under Docket No. 18-28892, in which a decision was issued based upon the evidence presented by the parties reducing the subject's combined assessment to \$82,013. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2018 and 2019 tax years are within the same general assessment period and no equalization factor was applied in Lake View Township in 2019. Furthermore, the decision of the Board for the 2018 tax year has not been reversed or modified upon review. Although the board of review presented an analysis based on the sales of two of the subject parcels in 2021 and 2022, the Board finds these sales occurred more remote from the January 1, 2019 assessment date and less likely to be indicative of market value as of that date. Applying section 16-185 of the Property Tax Code would result in a reduced total combined assessment of \$82,013, which is less than the 2019 assessment of the subject property of \$87,525.

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

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 16, 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

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

APPELLANT

Joan Condominium Association, by attorney:
Noah J. Schmidt
Schmidt Salzman & Moran, Ltd.
111 W. Washington St.
Suite 1300
Chicago, IL 60602

COUNTY

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