



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

APPELLANT: 5348 N Clark LLC
DOCKET NO.: 20-31127.001-R-1
PARCEL NO.: 14-08-114-021-0000

The parties of record before the Property Tax Appeal Board are 5348 N Clark LLC, the appellant(s), by attorney Edwin M. Wittenstein, 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:

LAND: \$54,600
IMPR.: \$168,900
TOTAL: \$223,500

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 2020 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 two-story, mixed-use commercial/residential building with 12,300 square feet of building area. The property is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 3-18 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation based on a recent sale. In support of its market value argument, appellant completed Section IV – Recent Sale Data in its Residential Appeal Form indicating the subject property was purchased on June 30, 2017, for \$2,235,000. The subject property was sold by a realtor and was advertised for sale. Appellant submitted copies of a Sidwell Map, photograph of the subject property, information from the Cook County Recorder of Deeds Website, HUD-1 Settlement Statement, Rent Roll, 2019 Income and Expense Sheet,

MLS listing sheet, and CoStar Information. Based on this evidence, appellant requested a reduction in the subject's assessment to \$200,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$251,308 and an improvement assessment of \$196,708. The subject's total assessment reflects a market value of \$2,513,080, when applying the level of assessment for class 2 property of 10.00% under the Cook County Real Property Assessment Classification Ordinance. The board of review did not submit any additional evidence.

Pursuant to proper notice provided to all parties, this matter was set for hearing for January 9, 2024. Prior to hearing, the parties agreed to have the matter written on the evidence previously submitted and the hearing was canceled.

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 proved 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 best evidence of market value to be the purchase of the subject property on June 30, 2017, for \$2,235,000. Appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. Appellant completed Section IV – Recent Sale Data in its Residential Appeal Form indicating the subject property was purchased on June 30, 2017, for \$2,235,000. The subject property was sold by a realtor and was advertised for sale. Appellant also submitted copies of a Sidwell Map, photograph of the subject property, information from the Cook County Recorder of Deeds Website, HUD-1 Settlement Statement, Rent Roll, 2019 Income and Expense Sheet, MLS listing sheet, and CoStar Information. The board of review did not provide any comparable properties. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. Based on this record, the Board finds the subject property had a market value of \$2,235,000 as of January 1, 2020. Since market value has been determined the level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. 86 Ill.Admin.Code §1910.50(c)(2). A reduction in the subject property's assessment that is commensurate with the purchase price is 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: 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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