



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

APPELLANT: Daniel Beary
DOCKET NO.: 20-32311.001-R-1
PARCEL NO.: 27-16-402-018-1014

The parties of record before the Property Tax Appeal Board are Daniel Beary, the appellant, by Mary Kate Gorman, Attorney at Law 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:

LAND: \$2,076
IMPR.: \$17,244
TOTAL: \$19,320

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 residential condominium unit located in a building of brick construction that is approximately 19 years old and contains 24 residential condominium units. The subject property has a 4.3250% of ownership interest in the condominium and has features that include central air conditioning and two bathrooms. The condominium complex has an 83,488 square foot site located in Orland Park, Orland Township, Cook County. The subject is classified as a class 2-99 residential condominium 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 May 30, 2018, for a price of \$171,000. The appellant completed Section IV – Recent Sale Data of the appeal identifying the sellers as Girish and Rashmi Gupta and indicated the parties to the transaction were not related. The appellant further indicated the property was sold through a Realtor and was

advertised in the Multiple Listing Service (MLS) for 43 days. To document the transaction the appellant submitted a copy of the MLS listing, and a copy of the settlement statement dated May 30, 2018. The settlement statement disclosed the sales price of \$171,000 and the payment of a commission of \$7,550. The MLS listing disclosed the subject property as being listed for sale on February 24, 2018, and was under contract and off the market on April 7, 2018. Based on this evidence, 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 \$19,320. The subject's assessment reflects a market value of \$193,200 when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-99 property of 10%.

The board of review submitted a copy of a Condominium Analysis Results for 2020 for the subject's condominium building disclosing the subject unit has a 4.3250% ownership interest in the complex. In support of its contention of the correct assessment the board of review submitted information on eight comparable sales of condominium units located in the subject's building, including the subject's sale, that had from 3.5866% to 5.0341% ownership interest in the subject's condominium and a total ownership interest in the condominium of 32.7699%. These comparables sold from July 2017 to January 2020 for prices ranging from \$160,000 to \$208,000 with sales prices totaling \$1,465,500. The board of review determined that the total adjusted consideration for the eight units was \$1,465,500. The board of review then divided the total adjusted consideration by the combined percentage of ownership interest the eight units had in the condominium of 32.7699% resulting in a full market value for the building of \$4,472,091. Multiplying the full market value of the building by the subject's percentage of ownership interest of 4.3250% results in an estimated value for the subject unit of \$193,418 and a total assessment of \$19,342 when applying the level of assessment for class 2-99 property of 10%, which is slightly above the subject's total 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 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the record disclosed the subject was purchased in May 2018 for a price of \$171,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction disclosing the parties to the transaction were not related, the property was sold using a Realtor, the property had been advertised on the open market in the Multiple Listing Service, and the property had been on the market for 43 days. In further support of the transaction the appellant submitted a copy of the settlement statement. The board of review did not present any evidence to challenge the arm's length nature of the transaction and used the subject's sale in determining the assessments for the condominium units within the subject's building. The Board finds the purchase price is below the market value reflected by the

assessment, however, the sale occurred approximately 19 months prior to the assessment date, calling into question whether the purchase price is reflective of fair cash value as of January 1, 2020.

The Board finds the best evidence of market value in the record to be the condominium analysis presented by the board of using eight sales, including the subject, that occurred from July 2017 to January 2020 for prices ranging from \$160,000 to \$208,000. Using these sales and the residential units' corresponding percentages of ownership interest in the condominium, the board of review arrived at a total value for the subject's condominium complex of \$4,472,091. Multiplying the full market value of the complex by the subject's percentage of ownership interest of 4.3250% results in an estimated value for the subject property of \$193,418, which is slightly above the market value reflected by the subject's assessment of \$193,200.

Using the data provided by the board of review, the Board further finds that the three units in the complex that sold most proximate in time to the assessment date at issue sold from September 2018 to January 2020 for prices of \$205,000, \$190,000, and \$190,000, respectively, for a total consideration of \$585,000.¹ These three units had a total ownership interest in the condominium of 12.6510%. Using the board of review methodology of dividing the total consideration for the units that sold by their ownership interest in the condominium results in a full value for the condominium complex of \$4,624,140. Multiplying this full market value estimate of the complex by the subject's percentage of ownership interest of 4.3250% results in an estimated value for the subject property of \$199,994, which is above the market value reflected by the subject's assessment of \$193,200.

Based on this record the Board finds the subject's total assessment is reflective of market value as of January 1, 2020, and a reduction in the subject's assessment is not justified.

¹ The residential condominium units that sold are identified by Property Index Numbers (PINs) 27-16-402-018-1019, 27-16-402-018-1008, and 27-16-402-018-1011.

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: June 18, 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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