



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

APPELLANT: Anna Pieta & Michal Gorecki
DOCKET NO.: 20-34605.001-R-1
PARCEL NO.: 28-04-400-040-1095

The parties of record before the Property Tax Appeal Board are Anna Pieta & Michal Gorecki, the appellants, by attorney Scott Shudnow, of Shudnow & Shudnow, 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:

LAND: \$795
IMPR.: \$7,805
TOTAL: \$8,600

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 one unit in a 144-unit, three-story, residential condominium building of masonry construction situated on a 214,264 square foot parcel of land. The building is 38-years old. The property is located in Crestwood, Bremen Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$86,000 as of January 1, 2020. The appraisal relied on the sales comparison approach, and it contained information on five comparable sales from the subject's condominium complex. The comparable properties sold between September 2018 and July 2019. The comparable properties ranged: in

price between \$80,000 to \$99,000; in size between 900 to 1,000 square feet of living area; and in sale price per square foot between \$88.89 to \$99.00.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$8,986. The subject's assessment reflects a market value of \$89,860 or \$103.41 per square foot of living area, including land, when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a condominium analysis for 2020 using 24 sales comparables¹ from the subject's condominium complex. The sales comparables ranged in price from \$5,642 to \$113,243 and sold between April 2017 and August 2020. The sale price was then divided by the percentage of ownership interest in the common elements of the unit sold (15.7419%) to arrive at a suggested total market value for the building of \$9,075,365, multiplied by the percentage of ownership of the subject unit (.9902%) to arrive at a fair market value of \$89,864. Based on this analysis, the board of review requested confirmation of the subject's current assessment.

In written rebuttal, the appellant argued that the board of review had not presented an appraisal or evidence conforming to the standards required of an appraisal. Appellant further argued that the methodology and analysis done by the board of review failed to account for the characteristics of the units whose sales were analyzed, including square footage, number of bedrooms, upgrades, or conditions.

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 meet this burden of proof and a reduction in the subject's assessment is warranted.

As a preliminary matter, all five sales comparables utilized by the appellant are included in the board of review's condominium analysis. The Board finds that the best evidence of the subject's market value is the appraisal submitted by the appellant. That appraisal employed the sales comparison approach, relying upon recent sales of five suggested comparable properties. The appraisal stated that the sale prices of the suggested comparable properties were adjusted to account for differences between them and the subject, most notably the discrepancies in types of sales/financing utilized, upgrades, layout, or unit condition, and the appraiser determined that the subject's market value was \$86,000. In contrast, the board of review's evidence consists of unadjusted data concerning comparable properties without accounting for these discrepancies.

¹ Condominium units as well as parking spaces are included in the board of review's 24 sales comparables.

Accordingly, the Board finds the subject property had a market value of \$86,000 as of the assessment date at issue. Based on the evidence, the Board therefore finds a reduction in the subject's assessment is justified.

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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