



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

APPELLANT: Southport Re Group LLC
DOCKET NO.: 20-40485.001-R-1
PARCEL NO.: 14-29-302-029-0000

The parties of record before the Property Tax Appeal Board are Southport Re Group LLC, the appellant(s), by attorney Jennifer Kanik, of the Law Offices of Terrence Kennedy Jr. 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: \$21,916
IMPR.: \$130,128
TOTAL: \$152,044

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 three-unit, apartment building of masonry construction with 3,450 square feet of living area¹. Features of the building include three fireplaces, a three-car garage, and six and one-half baths. The dwelling is four years old². Appellant disclosed that the subject is not owner-occupied. The property has a 3,048 square foot site and located in Chicago, Lake View Township, Cook County.

The appellant contends assessment inequity and a contention of law as the basis of the appeal. In support of the equity argument the appellant submitted information on six class 2-11 equity

¹ Appellant and BOR disagree on the subject's total square footage of living area and lot size. Appellant claims that the subject has 4,897 square feet of living area and a 3,044 square foot lot.

² Board of review submitted a real-estate listing in which the subject is described as a "2017 Newer Construction 3-flat".

comparable properties with varying degrees of similarities to the subject property. The submitted properties were located within a ½-mile radius of the subject. The comparables are improved with either a two-story or three-story, class 2-11 dwelling of either frame or frame and masonry construction that range in size from 3,940 to 5,012 square feet of living area. The comparable properties range in age from 125 to 132 years and improvement assessments ranging from \$12.13 to \$14.94 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$68,215 or \$13.92³ per square foot of living area.

In what appears to be support for the contention of law basis of this appeal, appellant provided letter in which the appellant states that the subject “is used as a rental apartment building with 3 residential units. Leases started in Fall 2017. We are requesting a class change from 2-97 to 2-11”. Appellant states that the Cook County Assessor’s Office conducted a field inspection of the subject on September 9, 2020. The Building Record card, produced by the Assessors’ Office, states that the property is a class 2-11, totaling 4,897 SF. We request that the Property Tax Appeal Board consider the property a class 2-11 for purposes of assessment comparable analysis”.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$152,044. The subject property has an improvement assessment of \$130,128. In support of its contention of the correct assessment the board of review submitted an appraisal prepared by Daniel Graver, licensed Illinois Real estate appraiser, a who opined that the subject had a total market value of \$1,850,000 as of May 1, 2018. No indication was made that an on-site inspection of the subject was made of the subject, and the intended use of the appraisal report was not clearly noted in the appraisal. The appraisal provides a thorough description of the subject as well as interior and exterior photographs of the subject. The appraiser lists the total square foot of living area as 3,450 and submitted a floorplan sketch of the subject listing the individual square footage on each of the 3 units. The appraisal used the income and sales comparison approaches.

For the income approach, the appraiser relied upon the subject’s rent roll and rental income from three suggested rental comparables with varying degrees of similarities to the subject. The rental income for the apartment comparables ranged from: \$2,395 to \$4,750 per month. In estimating the market value of the subject property based on the sales comparison approach to value the appraiser provided four comparable sales located approximately a ½-mile from the subject property. No equity comparable properties are contained within the appraisal or provided as evidence by the board of review in support of their contention of a correct assessment.

The board also submitted a Coldwell Banker Realty listing that describes the subject as a three-flat that sold recently in an arm’s length transaction for \$1,900,000

Prior to a scheduled June 11, 2025, 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

³ Based on 4,897 square feet of living area.

The taxpayer contends a contention of law and assessment inequity as the basis of the appeal. As to the appellant's contention of law basis of this appeal, "Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence." 5 ILCS 100/10-15.

The appellant argued that the subject's classification was inaccurate and requests that this Board change the classification of the subject from a Class 2-97 single family dwelling to a Class 2-11 multi-family dwelling. The Illinois Property Tax Appeal Board (PTAB) does not have the authority to change a property's classification.

Subject to such limitations as the General Assembly may hereafter prescribe by law, counties with a population of more than 200,000 may classify or continue to classify real property for purposes of taxation. Any such classification shall be reasonable, and assessments shall be uniform within each class." Ill. Const. of 1970 art. IX, § 4(b). "Classification refers to the categorizing of real property according to its use, for the purpose of determining at which percentage of fair market value the property should be assessed." People ex rel. Costello v. Lerner, 53 Ill. App. 3d 245, 250 (5th Dist. 1977) (citing People ex rel. Jones v. Adams, 40 Ill. App. 3d 189, 195 (5th Dist. 1976).

The PTAB's jurisdiction is limited to adjudicating the correct assessment of a property based on equity and the weight of the evidence. The Board can however consider the evidence submitted by the parties in its analysis of the appeal. The board notes both parties submitted evidence indicating that the subject is in fact a three-story dwelling with three individual apartment units. As such the Board will consider the class-2-11 comparable equity properties submitted by the appellant in the analysis of the appeal,

When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant *did not meet* this burden of proof and a reduction in the subject's assessment *is not* warranted.

The appellant submitted six equity comparable properties, and the board of review submitted an appraisal for the Board's consideration.

As a preliminary matter, the Board gives no weight to the appraisal provided by the board of review. The basis of the appellant's appeal was equity/uniformity. No equity evidence was provided by the board of review or the appraiser in his analysis of the subject's market value. Additionally, the intended use of the appraisal report is listed as the "lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction". The Board gives no weight to an appraisal's valuation conclusion if they were not listed as an intended user.

The subject's total square footage of living area are at issue in this appeal.

The appellant asserts that the subject has 4,897 square feet of living area. Appellant submitted a Building Record card, produced by the Assessors' Office, states that the property is a class 2-11 with 4,897 square feet of living area. In a submitted dwellings computation sheet the total square footage of the subject is listed as 4,897 which includes the square footage of the finished basement as well as an additional unspecified 176 square feet. While a finished basement may contribute to the property's overall assessed value it is generally **not included** in the official "gross living area" (GLA) square footage calculation. Additionally, the board cannot determine whether the additional unspecified 176 square feet noted in the appellants evidence should or can be included in the overall gross living area of the subject⁴. The board find the appellants evidence regarding the total square footage of living area is to be confusing and unpersuasive. The Board find that the best and un rebutted evidence of the subject's total square footage to be the amount submitted by the board of review.

The appellant submitted information on a total of six suggested equity comparable properties. The Board finds the that the evidence submitted by the appellant does not support their assertion that the subject was inequitably assessed. The suggested comparable properties submitted by the appellant differed significantly in both amount of living area and age as compared to the subject and varied in amenities such as garage, basement type and exterior construction. While the board of review failed to submit evidence to support is assertion the subject was equitably assessed, ultimately the appellant had the burden of showing inequity in the assessment process by clear and convincing evidence. The appellant failed to do so and based on the record before the Board it is unable to establish a range for determining assessment equity. Accordingly, the Board finds that the appellant failed to show by clear and convincing evidence that the subject's improvement was inequitably assessed, and a reduction in the subject's assessment on this basis is not justified.

⁴ The Board takes official notice that the subject was appealed in 2019 based on a recent appraisal. The appraisal submitted by the appellant lists the subject's gross building area as 3,450, the same square footage amount of living area alleged by the board of review in this appeal.

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: _____

December 23, 2025



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

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