



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

APPELLANT: Grafton Place/Bristop Park 3 Condo Assn
DOCKET NO.: 20-41350.001-R-1 through 20-41350.096-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Grafton Place/Bristop Park 3 Condo Assn, the appellant, by attorney Timothy C. Jacobs, of Kovitz Shifrin Nesbit in Mundelein; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
20-41350.001-R-1	27-36-124-031-1001	475	14,608	\$15,083
20-41350.002-R-1	27-36-124-031-1002	475	14,608	\$15,083
20-41350.003-R-1	27-36-124-031-1003	475	14,608	\$15,083
20-41350.004-R-1	27-36-124-031-1004	475	14,608	\$15,083
20-41350.005-R-1	27-36-124-031-1005	475	14,608	\$15,083
20-41350.006-R-1	27-36-124-031-1006	475	14,608	\$15,083
20-41350.007-R-1	27-36-124-031-1007	475	14,608	\$15,083
20-41350.008-R-1	27-36-124-031-1008	475	14,608	\$15,083
20-41350.009-R-1	27-36-124-031-1009	475	14,608	\$15,083
20-41350.010-R-1	27-36-124-031-1010	475	14,608	\$15,083
20-41350.011-R-1	27-36-124-031-1011	475	14,608	\$15,083
20-41350.012-R-1	27-36-124-031-1012	475	14,608	\$15,083
20-41350.013-R-1	27-36-124-031-1013	475	14,608	\$15,083
20-41350.014-R-1	27-36-124-031-1014	475	14,608	\$15,083
20-41350.015-R-1	27-36-124-031-1015	475	14,608	\$15,083
20-41350.016-R-1	27-36-124-031-1016	475	14,608	\$15,083
20-41350.017-R-1	27-36-124-031-1017	475	14,608	\$15,083
20-41350.018-R-1	27-36-124-031-1018	475	14,608	\$15,083
20-41350.019-R-1	27-36-124-031-1019	475	14,608	\$15,083
20-41350.020-R-1	27-36-124-031-1020	475	14,608	\$15,083
20-41350.021-R-1	27-36-124-031-1021	475	14,608	\$15,083
20-41350.022-R-1	27-36-124-031-1022	475	14,608	\$15,083
20-41350.023-R-1	27-36-124-031-1023	475	14,608	\$15,083
20-41350.024-R-1	27-36-124-031-1024	475	14,608	\$15,083
20-41350.025-R-1	27-36-124-031-1025	475	14,608	\$15,083

20-41350.026-R-1	27-36-124-031-1026	475	14,608	\$15,083
20-41350.027-R-1	27-36-124-031-1027	475	14,608	\$15,083
20-41350.028-R-1	27-36-124-031-1028	475	14,608	\$15,083
20-41350.029-R-1	27-36-124-031-1029	475	14,608	\$15,083
20-41350.030-R-1	27-36-124-031-1030	475	14,608	\$15,083
20-41350.031-R-1	27-36-124-031-1031	475	14,608	\$15,083
20-41350.032-R-1	27-36-124-031-1032	475	14,608	\$15,083
20-41350.033-R-1	27-36-124-031-1033	475	14,608	\$15,083
20-41350.034-R-1	27-36-124-031-1034	475	14,608	\$15,083
20-41350.035-R-1	27-36-124-031-1035	475	14,608	\$15,083
20-41350.036-R-1	27-36-124-031-1036	475	14,608	\$15,083
20-41350.037-R-1	27-36-124-031-1037	475	14,608	\$15,083
20-41350.038-R-1	27-36-124-031-1038	475	14,608	\$15,083
20-41350.039-R-1	27-36-124-031-1039	475	14,608	\$15,083
20-41350.040-R-1	27-36-124-031-1040	475	14,608	\$15,083
20-41350.041-R-1	27-36-124-031-1041	475	14,608	\$15,083
20-41350.042-R-1	27-36-124-031-1042	475	14,608	\$15,083
20-41350.043-R-1	27-36-124-031-1043	475	14,608	\$15,083
20-41350.044-R-1	27-36-124-031-1044	475	14,608	\$15,083
20-41350.045-R-1	27-36-124-031-1045	475	14,608	\$15,083
20-41350.046-R-1	27-36-124-031-1046	475	14,608	\$15,083
20-41350.047-R-1	27-36-124-031-1047	475	14,608	\$15,083
20-41350.048-R-1	27-36-124-031-1048	475	14,608	\$15,083
20-41350.049-R-1	27-36-124-031-1049	475	14,608	\$15,083
20-41350.050-R-1	27-36-124-031-1050	475	14,608	\$15,083
20-41350.051-R-1	27-36-124-031-1051	475	14,608	\$15,083
20-41350.052-R-1	27-36-124-031-1052	475	14,608	\$15,083
20-41350.053-R-1	27-36-124-031-1053	475	14,608	\$15,083
20-41350.054-R-1	27-36-124-031-1054	475	14,608	\$15,083
20-41350.055-R-1	27-36-124-031-1055	475	14,608	\$15,083
20-41350.056-R-1	27-36-124-031-1056	475	14,608	\$15,083
20-41350.057-R-1	27-36-124-031-1057	475	14,608	\$15,083
20-41350.058-R-1	27-36-124-031-1058	475	14,608	\$15,083
20-41350.059-R-1	27-36-124-031-1059	475	14,608	\$15,083
20-41350.060-R-1	27-36-124-031-1060	475	14,608	\$15,083
20-41350.061-R-1	27-36-124-031-1061	475	14,608	\$15,083
20-41350.062-R-1	27-36-124-031-1062	475	14,608	\$15,083
20-41350.063-R-1	27-36-124-031-1063	475	14,608	\$15,083
20-41350.064-R-1	27-36-124-031-1064	475	14,608	\$15,083
20-41350.065-R-1	27-36-124-031-1065	475	14,608	\$15,083
20-41350.066-R-1	27-36-124-031-1066	475	14,608	\$15,083
20-41350.067-R-1	27-36-124-031-1067	475	14,608	\$15,083
20-41350.068-R-1	27-36-124-031-1068	475	14,608	\$15,083
20-41350.069-R-1	27-36-124-031-1069	475	14,608	\$15,083
20-41350.070-R-1	27-36-124-031-1070	475	14,608	\$15,083

20-41350.071-R-1	27-36-124-031-1071	475	14,608	\$15,083
20-41350.072-R-1	27-36-124-031-1072	475	14,608	\$15,083
20-41350.073-R-1	27-36-124-031-1073	475	14,608	\$15,083
20-41350.074-R-1	27-36-124-031-1074	475	14,608	\$15,083
20-41350.075-R-1	27-36-124-031-1075	475	14,608	\$15,083
20-41350.076-R-1	27-36-124-031-1076	475	14,608	\$15,083
20-41350.077-R-1	27-36-124-031-1077	475	14,608	\$15,083
20-41350.078-R-1	27-36-124-031-1078	475	14,608	\$15,083
20-41350.079-R-1	27-36-124-031-1079	475	14,608	\$15,083
20-41350.080-R-1	27-36-124-031-1080	475	14,608	\$15,083
20-41350.081-R-1	27-36-124-031-1081	475	14,608	\$15,083
20-41350.082-R-1	27-36-124-031-1082	475	14,608	\$15,083
20-41350.083-R-1	27-36-124-031-1083	475	14,608	\$15,083
20-41350.084-R-1	27-36-124-031-1084	475	14,608	\$15,083
20-41350.085-R-1	27-36-124-031-1085	475	14,608	\$15,083
20-41350.086-R-1	27-36-124-031-1086	475	14,608	\$15,083
20-41350.087-R-1	27-36-124-031-1087	475	14,608	\$15,083
20-41350.088-R-1	27-36-124-031-1088	475	14,608	\$15,083
20-41350.089-R-1	27-36-124-031-1089	475	14,608	\$15,083
20-41350.090-R-1	27-36-124-031-1090	475	14,608	\$15,083
20-41350.091-R-1	27-36-124-031-1091	475	14,608	\$15,083
20-41350.092-R-1	27-36-124-031-1092	475	14,608	\$15,083
20-41350.093-R-1	27-36-124-031-1093	475	14,608	\$15,083
20-41350.094-R-1	27-36-124-031-1094	475	14,608	\$15,083
20-41350.095-R-1	27-36-124-031-1095	475	14,608	\$15,083
20-41350.096-R-1	27-36-124-031-1096	475	14,608	\$15,083

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 is improved with a multi-building condominium complex containing a total of ninety-six (96) residential condominium units and is approximately 23 years old. The property has an 83,048 square foot site and is located in Tinley Park, Orland 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 both overvaluation and lack of assessment equity as the bases of the appeal. In support of the overvaluation component of the appeal, the appellant submitted

information on 29 comparable sales of residential condominium units located in the subject's condominium which occurred from January 2017 and January 2020. The sold units have a combined 30.2064% ownership interest in the condominium. The appellant calculated the total consideration for the 29 units to be \$4,712,300. The appellant then divided the total consideration by the 30.2064% ownership interest the units have in the condominium to arrive at a full market value for the condominium buildings of \$15,600,336. The appellant then multiplied the estimated market value of the 96 units by "the *de facto* level of assessment for residential property of 8.80%" [italics in original] based on the 2019 Illinois Department of Revenue Sales Ratio Study to arrive at a combined total assessment for the units under appeal of \$1,372,830. To document the sales, the appellant submitted a spreadsheet summarizing the sales depicting the corresponding percentage of ownership and the purchase date along with copies of Multiple Listing Service (MLS) data sheets associated with each sale. The spreadsheet discloses the sales prices of the units ranging from \$148,500 to \$177,500 and disclosed that all sales were deemed to be arm's length sales.

As to the lack of equity argument, the appellant requests that the 8.80% *de facto* level of assessment as determined by the 2019 Illinois Department of Revenue's Sales Ratio Study be applied rather than the "*de jure*" Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10% pursuant to Cook County Ordinance 08-O-51.

Based on the foregoing evidence and argument, the appellant requested a combined reduction in the assessment of the subject 96 condominium units of \$1,372,830 to reflect a market value of \$15,600,336 for the condominium buildings at the 8.80% "*de facto*" level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing a combined assessment for the units under appeal of \$1,447,968. This assessment reflects a market value of \$14,479,680 when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10%, or a market value of \$16,454,182 when applying the appellant's suggested "*de facto*" level of assessment of 8.80%.

In support of its contention of the correct assessment, the board of review submitted a document entitled Condominium Analysis Results for 2020 prepared by Boetius Turek in which it used 31 comparable sales to estimate the value of the condominium under appeal or the combined units that includes 29 common sales. The board of review arrived at a total consideration for the 31 condominium units of \$5,068,325. The board of review analysis indicated these 31 units had a combined 32.2896% ownership interest in the condominium. Dividing the total consideration by the percentage of ownership in the condominium resulted in a full value of the condominium building of \$15,696,462 which results in a total combined assessment for the 96 units under appeal of \$1,569,646 when applying the 10% Ordinance level of assessment for class 2-99 property. The board of review argued that the subject's assessed value and market value based on the comparable sales of units sold and percentage of ownership in common elements is slightly higher than the subject's current assessment of \$1,569,546 and reflected market value of \$15,695,457.

The board of review argued that both the appellant and the board of review correctly derived a substantially similar fair market value for the entire subject condominium based on an analysis of

recent sales of the units within the complex. In addition, the board of review argued that the appellant's request for a "*de facto*" level of assessment of 8.80% (instead of 10% pursuant to Cook County Ordinance 08-O-51) does not apply because the subject consists of more than six units which is arguably the "criteria explicitly stated in the Code." Also, the board of review argued that the appellant failed to provide the Illinois Department of Revenue's 3-year sales ratio studies upon which the appellant bases the claim. Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant contended that 86 Ill.Admin.Code 1910.50(c) cannot be interpreted to only apply to properties with six units or less otherwise Property Tax Appeal Board would be unable to determine the correct assessment for appeals involving condominium associations containing more than six individual units. As to the percentage level of assessment argument, appellant's counsel submitted in rebuttal a document entitled "Assessment Ratios 2020" which purportedly demonstrates that Cook County is assessing Class 2 properties at a median sales ratio of 8.66% and an adjusted median sales ratio of 8.01% which arguably is consistent with the appellant's request of 8.80%.

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.

Initially, the Board will address the appellant's evidence submitted in rebuttal which includes a document entitled "Assessment Ratios 2020." Section 1910.66(c) of the Rules of the Property Tax Appeal Board states that "[r]ebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties." 86 Ill.Admin.Code §1910.66(c). The document submitted by the appellant in rebuttal was not initially submitted in support of the appellant's argument for the application of the requested level of assessment of 8.80%. The Board finds that the said document does not rebut any argument put forth by the board of review regarding the application of the assessment level, but rather appears to be simply a response to the board of review's statement that the appellant failed to provide any evidence in support the Department of Revenue's 3-year sales ratio study. As such, the Board finds that the document submitted in rebuttal constitutes "new evidence" within the context of Section 1910.66(c) of the Rules and is therefore inadmissible. Notwithstanding the question of admissibility, the document in question appears to be simply a 2020 statistical analysis compiled by the Illinois Department of Revenue rather than a mandate as to the level of assessment to be applied. Section 1910.50(c)(3) of the Rules or the Property Tax Appeal Board is instructive on this issue:

In Cook County, for all other classes of property, [properties with more than six condominium units] when sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, **the Board will consider the level of assessment applicable to the subject**

property under the Cook County Real Property Assessment Classification Ordinance, as amended. [Emphasis added]

86 Ill.Admin.Code §1910.50(c)(3).

As to the issue of the market value of the subject condominium, the record contains a sales analysis of 29 comparable sales submitted by the appellant where each sale included a residential condominium unit, and a sales analysis of 31 similar comparable sales, 29 of which were common with the appellant's data, where these sales were presented to support their respective positions before the Property Tax Appeal Board.

The Board gives less weight to the estimated market value as indicated in the appellant's sales analysis as the appellant applied an 8.8% "*de facto*" level of assessment to the total consideration of the sales prices in the analysis but failed to establish any substantive evidence to apply anything other than the level of assessment set forth in the Cook County Ordinance 08-O-51 for class 2-99 property of 10%. Likewise, the Board gives less weight to the estimated market value as indicated in the board of review condominium analysis as the Property Tax Appeal Board finds 15 of the 31 sales chosen by the board of review analyst either occurred prior to 2019 which are less proximate in time to the assessment date at issue or sold more recently for \$1 which does not represent fair cash value. Therefore, the total aggregate sale price reported by the board of review analyst inaccurately included sale prices totaling \$5,068,325.

The Property Tax Appeal Board finds the best evidence of market value to be the 16 most recent sales submitted by the board of review that sold in 2019 and 2020, 13 of which are common sales provided by both parties. Each of these sales were for a condominium unit with sales that occurred from January 2019 to November 2020 for a total consideration of \$2,680,000. The Board calculated the sales prices of these best condominium unit sales provided by the parties and determined a combined percentage ownership interest in the condominium for these units that sold of 16.6656% (16 units X 1.046% - as each unit has 1.046% ownership interest in the condominium). This calculates to a full value for the condominium property of \$16,081,029 ($\$2,680,000 \div 16.6656\%$), which is greater than the subject's estimated market value as reflected by its assessment of \$14,479,680. Consequently, based on this evidence, the Board finds a reduction in the subject's assessment is not 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: 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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