



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

APPELLANT: Woods of Golf View
DOCKET NO.: 20-42163.001-R-1 through 20-42163.048-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Woods of Golf View, 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
20-42163.001-R-1	27-13-316-008-1001	1,095	13,660	\$14,755
20-42163.002-R-1	27-13-316-008-1002	1,461	18,224	\$19,685
20-42163.003-R-1	27-13-316-008-1003	1,303	16,259	\$17,562
20-42163.004-R-1	27-13-316-008-1004	1,041	12,984	\$14,025
20-42163.005-R-1	27-13-316-008-1005	1,041	12,984	\$14,025
20-42163.006-R-1	27-13-316-008-1006	1,255	15,657	\$16,912
20-42163.007-R-1	27-13-316-008-1007	1,413	17,622	\$19,035
20-42163.008-R-1	27-13-316-008-1008	1,064	13,280	\$14,344
20-42163.009-R-1	27-13-316-008-1009	1,095	13,660	\$14,755
20-42163.010-R-1	27-13-316-008-1010	1,461	18,224	\$19,685
20-42163.011-R-1	27-13-316-008-1011	1,303	16,259	\$17,562
20-42163.012-R-1	27-13-316-008-1012	1,041	12,984	\$14,025
20-42163.013-R-1	27-13-316-008-1013	1,041	12,984	\$14,025
20-42163.014-R-1	27-13-316-008-1014	1,255	15,657	\$16,912
20-42163.015-R-1	27-13-316-008-1015	1,413	17,622	\$19,035
20-42163.016-R-1	27-13-316-008-1016	1,064	13,280	\$14,344
20-42163.017-R-1	27-13-316-008-1017	1,095	13,660	\$14,755
20-42163.018-R-1	27-13-316-008-1018	1,461	18,224	\$19,685
20-42163.019-R-1	27-13-316-008-1019	1,303	16,259	\$17,562
20-42163.020-R-1	27-13-316-008-1020	1,041	12,984	\$14,025
20-42163.021-R-1	27-13-316-008-1021	1,041	12,984	\$14,025
20-42163.022-R-1	27-13-316-008-1022	1,255	15,657	\$16,912
20-42163.023-R-1	27-13-316-008-1023	1,413	17,622	\$19,035
20-42163.024-R-1	27-13-316-008-1024	1,064	13,280	\$14,344
20-42163.025-R-1	27-13-316-008-1025	1,095	13,660	\$14,755

20-42163.026-R-1	27-13-316-008-1026	1,461	18,224	\$19,685
20-42163.027-R-1	27-13-316-008-1027	1,303	16,259	\$17,562
20-42163.028-R-1	27-13-316-008-1028	1,041	12,984	\$14,025
20-42163.029-R-1	27-13-316-008-1029	1,041	12,984	\$14,025
20-42163.030-R-1	27-13-316-008-1030	1,255	15,657	\$16,912
20-42163.031-R-1	27-13-316-008-1031	1,413	17,622	\$19,035
20-42163.032-R-1	27-13-316-008-1032	1,064	13,280	\$14,344
20-42163.033-R-1	27-13-316-008-1033	1,095	13,660	\$14,755
20-42163.034-R-1	27-13-316-008-1034	1,461	18,224	\$19,685
20-42163.035-R-1	27-13-316-008-1035	1,303	16,259	\$17,562
20-42163.036-R-1	27-13-316-008-1036	1,041	12,984	\$14,025
20-42163.037-R-1	27-13-316-008-1037	1,041	12,984	\$14,025
20-42163.038-R-1	27-13-316-008-1038	1,255	15,657	\$16,912
20-42163.039-R-1	27-13-316-008-1039	1,413	17,622	\$19,035
20-42163.040-R-1	27-13-316-008-1040	1,064	13,280	\$14,344
20-42163.041-R-1	27-13-316-008-1041	1,095	13,660	\$14,755
20-42163.042-R-1	27-13-316-008-1042	1,461	18,224	\$19,685
20-42163.043-R-1	27-13-316-008-1043	1,303	16,259	\$17,562
20-42163.044-R-1	27-13-316-008-1044	1,041	12,984	\$14,025
20-42163.045-R-1	27-13-316-008-1045	1,041	12,984	\$14,025
20-42163.046-R-1	27-13-316-008-1046	1,255	15,657	\$16,912
20-42163.047-R-1	27-13-316-008-1047	1,413	17,622	\$19,035
20-42163.048-R-1	27-13-316-008-1048	1,064	13,280	\$14,344

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 forty-eight (48) residential condominium units and is approximately 21 years old. The property has an 89,326 square foot site and is located in Orland 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 a brief asserting that between January 1, 2017 and January 1, 2020, fifteen (15) units were sold which represents 30.98% interest in the entire condominium. To document the sales, the appellant submitted a spreadsheet summarizing the sales depicting the corresponding percentage of

ownership and the sale dates along with copies of Multiple Listing Service (MLS) data sheets associated with each sale. However, the spreadsheet and the corresponding MLS data sheets submitted by the appellant were for a different property than the subject. Based on the combined sale prices of the units sold divided by the combined percentage of ownership interest of the units sold, the appellant argued in the brief that the subject property has a fair market value of \$7,779,664.

Based in part on the appellant's calculation of the fair market value, and in support of 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 reduction in the assessment of the subject 48 condominium units of \$684,610 or 8.80% of the of \$7,779,664 fair market value of the condominium at "the *de facto* level of assessment for residential property of 8.80%" based on the 2019 Illinois Department of Revenue Sales Ratio Study.

The board of review submitted its "Board of Review Notes on Appeal" disclosing a combined assessment for the units under appeal of \$782,058. This assessment reflects a market value of \$7,820,580 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 \$8,887,023 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 13 comparable sales to estimate the value of the condominium under appeal or the combined units. The board of review arrived at a total consideration for the 13 condominium units of \$2,080,000. The board of review analysis indicated these 13 units had a combined 26.7569% 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 \$7,773,695 which results in a total combined assessment for the 48 units under appeal of \$777,370 when applying the 10% Ordinance level of assessment for class 2-99 property.

In a memorandum, 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.

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 of 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 for the subject condominium, the record contains a sales analysis of 13 comparable sales submitted by the board of review where each sale included a residential condominium unit. As to the appellant's submission of comparable sales, the Board finds that both the spreadsheet and the MLS data sheets depict a property other than the subject and, therefore, the Board will give them no weight.

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 8 of 13 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 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 \$2,080,000.

The Property Tax Appeal Board finds the best evidence of market value to be the 5 most recent sales submitted by the board of review that sold in 2019 and 2020. Each of these sales were for a condominium unit within the subject buildings with sales that occurred from July 2019 to September 2020 for a total consideration of \$846,000. The Board calculated the sales prices of these best condominium unit sales in the record and determined a combined percentage ownership interest in the condominium for these units that sold of 9.7312%. This calculates to a full value for the condominium property of \$8,693,686 ($\$846,000 \div 9.7312\%$), which is greater than the subject's estimated market value as reflected by its assessment of \$7,820,580. 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

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