



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

APPELLANT: Joshua Cooley  
DOCKET NO.: 20-42548.001-R-1 through 20-42548.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Joshua Cooley, the appellant, by attorney Kevin P. Burke, of Smith Hemmesch Burke & Kaczynski 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
20-42548.001-R-1	17-10-135-038-1543	244	10,526	\$10,770
20-42548.002-R-1	17-10-135-038-1918	2,811	120,919	\$123,730

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 condominium unit with 2,022 square feet of living area and a deeded parking space in a 1,157-unit, residential condominium building situated on a 98,018 square foot parcel of land. Features of the unit include: two full bathrooms, one-half bathroom, two fireplaces and central air conditioning. The building is 12-years old. The subject unit has a .2125% ownership interest in the common elements. The property is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant asserts overvaluation in this appeal. In support of the overvaluation argument, the appellant submitted evidence disclosing that the subject property was purchased on February 27,

2020 and March 20, 2020 for a total purchase price of \$1,345,000<sup>1</sup>. In further support of this argument the appellant submitted two sales comparables from the same condominium building.<sup>2</sup> The comparable properties both sold in March 2020 and contained the same amount of living area square footage and similar amenities. They ranged in price between \$1,100,000 to \$1,125,000 and between \$544.00 to \$556.38 in sale price per square foot. 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 \$138,211. The subject's assessment reflects a total market value of \$1,382,110; or \$1,209,190 prorated market value for the condominium unit or \$598.02 per square foot of living area, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted a condominium analysis for 2020 using sales of 169-units within the subject's building<sup>3</sup>, one of which was the subject unit. The sales comparables ranged in price from \$1,250 to \$8,913,153 and sold between January 2017 and December 2020. The sales price of each comparable was added together for a total of \$114,874,552 and then divided by the percentage of interest in units sold (17.1609%) to arrive at a total market value for the building of \$669,397,012, multiplied by the percentage of ownership of the subject unit to arrive at a fair market value of \$142,247. Based on this analysis, the board of review requested confirmation of the subject's current assessment. The total assessed value of the subject property was determined to be \$138,211 based on the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In rebuttal, appellant argued that the board of review did not challenge appellant's argument or evidence of a recent sale and requested the assessed valuation be reduced.

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

The Board finds that the best evidence of market value is the sale of the subject property in February and March 2020 for a price of \$1,345,000. A contemporaneous sale of the subject

---

<sup>1</sup> Appellant submitted evidence that the condominium unit sold for \$1,300,000 in February 2020 and the parking space sold for \$45,000 in March 2020.

<sup>2</sup> Appellant listed a third comparable which was an active listing and not a completed sale. As such this Board will not give it any weight.

<sup>3</sup> The board of review's condominium analysis of 169-sales relies on and incorporates both the sales of individual condo units as well as sales of deeded parking spaces.

property between parties dealing at arms-length is practically conclusive on the issue of whether an assessment reflected the fair cash market value of the property. Gateway-Walden LLC v. Pappas, 2018 IL App (1<sup>st</sup>) 162714, ¶33. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the PTAB residential appeal form and disclosed that the parties to the transaction were not related, the property was sold by a realtor (@properties), it had been advertised on the open market through the Multiple Listing Service, it had been on the market for approximately eight months and was not sold pursuant to a foreclosure action. The appellant also submitted a copy of the settlement statement from the transaction, warranty deed, an active listing from Coldwell Banker for a different unit in the subject's building, and a Crain's Chicago Business article regarding condominium units in the subject's building. The Board finds the purchase price is below the market value reflected by the assessment.

The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction. The Board concludes that the board of review did not refute the appellant's contention that the purchase price of the subject property was reflective of market value. Based on this record the Board finds the subject property had a market value of \$1,345,000 as of January 1, 2020. Since market value has been determined, the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2 property of 10% shall apply. A reduction in the subject's assessment commensurate with the appellant's request is therefore appropriate.

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

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: \_\_\_\_\_

July 16, 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Joshua Cooley, by attorney:  
Kevin P. Burke  
Smith Hemmesch Burke & Kaczynski  
10 South LaSalle Street  
Suite 2660  
Chicago, IL 60603

COUNTY

Cook County Board of Review  
County Building, Room 601  
118 North Clark Street  
Chicago, IL 60602