



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

APPELLANT: Sidney Berger
DOCKET NO.: 20-48480.001-C-1 through 20-48480.002-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Sidney Berger, 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 **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
20-48480.001-C-1	13-28-131-035-0000	14,062	7,938	\$22,000
20-48480.002-C-1	13-28-131-036-0000	14,062	7,938	\$22,000

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 65-yr-old, one-story, three-unit, commercial building of masonry construction with 3,500 square feet of building area. The property has a 6,250 square foot site and is located in Chicago, Jefferson Township, Cook County. The property is a class 5-17 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant argues contention of law, overvaluation, and assessment equity as the bases of the appeal.

In support of the overvaluation argument the appellant submitted an appraisal prepared by a Certified General Real Estate Appraiser with an MAI designation and an associate real estate trainee appraiser, which included an inspection of the subject property on November 2, 2018. This appraisal estimated the subject property had a market value of \$220,000 as of January 1,

2018. The appraisal used the income capitalization and sales comparison approaches to valuation.

Under the income capitalization approach, the appraiser analyzed seven comparable rentals located an undisclosed distance from the subject property. Considering the data from the rental comparable properties, the appraiser estimated an average rent for one unit in the four unit building of \$14.00 per square foot, which produces a total potential gross income (PGI) of \$49,000. The appraiser stabilized the vacancy rate at 7.0% for an effective gross income (EGI) of \$68,400. Expenses were then deducted to arrive at a net operating income (NOI) of \$31,667. Next, the appraiser calculated the overall capitalization rate of 9% utilizing the band of investment method and investor survey. Adding the tax load for the vacancy rate, the appraiser arrived at the final capitalization rate of 14.382%. Dividing the NOI of \$31,667 by the capitalization rate of 14.382%, the appraiser arrived at a value under the income approach of \$220,000, rounded.

Under the sales comparison approach, the appraiser utilized six comparable sales located within an unknown distance from the subject. The comparable properties sites ranged in size from 3,450 to 9,300 square feet of building area. The properties are each improved with a commercial building of masonry construction that were built from 1931 to 2007. The comparable properties sold from December 2015 to October 2017 for prices ranging from \$111,000 to \$315,000 or from \$30.13 to \$63.77 per square foot of building area, land included. The appraiser then adjusted, if applicable, conditions of sale, market conditions, location/visibility, size, age, and land-to-building ratio. The appraiser then concluded that based on the sales data and applying adjustments to the comparable sales for differences from the subject, the subject had a market value of \$220,000, rounded or \$62.86 per square foot of building area, land included..

In reconciling the two approaches to value, the appraiser gave equal weight to the income capitalization approach and the sales comparison approach to value and found that both were reliable. Therefore, the appraiser arrived at the final opinion of value for the subject property of \$220,000 as of January 1, 2018. The appellant then requested a reduction to the appraisal value using the median level of assessment. In support of this the appellant submitted information on a sales ratio study published by the Illinois Department of Revenue.

In support of the argument of assessment equity the appellant submitted four class 5-17 equity comparable properties for which the appellant did not disclose proximity to the subject. These properties were from 58 to 91 years old, had from 2,700 to 4,375 square feet of building area, and had improvement assessments from \$4.27 to \$8.07 per square foot of building area. Based on this evidence the appellant is seeking a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$60,000. The subject's assessment reflects a market value of \$240,000 or \$68.57 per square foot of living area, including land, when applying the level of assessments for class 5 property under the Cook County Real Property Assessment Classification Ordinance of 25%. The board of review did not submit any further evidence in support of the assessment. Based on this evidence the board of review requested confirmation of the subject's assessment.

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 the best evidence of market value to be the appraisal submitted by the appellant. The Board finds the appellant submitted a credible appraisal report with reasonable and logical adjustments for differences from the subject in the sales comparison approach, as well as credible analysis and conclusions in the income capitalization approach. The subject's current assessment reflects a market value of \$240,000, which is higher than the appraised value. The Board finds the subject property had a market value of \$220,000 as of the assessment date at issue. The Board gives no weight to the appellant's median level of assessment argument as the appellant's evidence is insufficient. Since market value has been established the level of assessment for class five property under the Cook County Real Property Assessment Classification Ordinance of 25% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)). After this reduction, the Board finds the subject is equitably assessed.

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:

April 21, 2026



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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