



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

APPELLANT: Gail Duberchin Living Trust Agreement dtd. 7/10/02
DOCKET NO.: 21-22007.001-R-1
PARCEL NO.: 05-27-200-054-1042

The parties of record before the Property Tax Appeal Board are Gail Duberchin Living Trust Agreement dtd. 7/10/02, the appellant(s), by attorney Richard D. Worssek, of Worssek & Vihon 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:

LAND: \$ 5,418
IMPR.: \$ 26,082
TOTAL: \$ 31,500

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) after receiving a decision from the Cook County Board of Review. The instant appeal challenges the assessment for tax year 2021. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

Findings of Fact

The subject consists of a condominium unit with a 0.8939% ownership interest in the common elements. The property is located in New Trier 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 overvaluation as the basis of the appeal. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on November 14, 2019 for a price of \$315,000. The appellant also requested a further reduction of 7.944% due to the Covid-19 pandemic. In support of this argument, the appellant submitted a report from the Cook County Assessor's Office dated January 11, 2021 and entitled "Cook County Assessor's COVID-19 Adjustments to 2020 Property Assessments in the North Suburbs and City of Chicago."

The subject property was the subject matter of an appeal before the Board in 2019 under docket number 19-25202. In that appeal, the Board rendered a decision lowering the subject's assessment to \$31,500. In Section II of the appeal form, the appellant stated that the subject is owner-occupied. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$28,997.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the total assessment for the subject is \$45,047. The subject's assessment reflects a market value of \$450,470 when applying the 2021 statutory level of assessment for class 2 property of 10.00% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a condominium analysis showing that 22 units in the subject's building, or 29,5684% of ownership in the common elements, sold between June 2018 and October 2021 for an aggregate price of \$15,827,000. The aggregate sale price was then divided by the percentage of ownership interest in the common elements of the units sold to arrive at a total market value for the building of \$53,526,738.

Conclusion of Law

The appellant raised a contention of law asserting that the assessment of the subject property as established by the Board for tax year 2019 should be carried forward to the instant tax year pursuant to section 16-185 of the Property Tax Code. When a contention of law is raised, the burden of proof is a preponderance of the evidence. 5 ILCS 100/10-15. The Board finds the appellant did meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds that the assessment as established by the Board for tax year 2019 should be carried forward to the instant tax year subject only to equalization as provided by section 16-185 of the Property Tax Code.

Section 16-185 of the Property Tax Code provides, in relevant part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's-length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board takes official notice that it issued a decision lowering the subject's assessment for tax year 2019 (86 Ill.Admin.Code §1910.90(i)), and that tax year 2019 and the instant tax year of 2021 are in the same general assessment period for New Trier Township. Cook County, Ill., Code of Ordinances §§ 74-31 and 74-32(2). The Board further finds that the subject is owner-occupied based on the appellant's statement in Section II of the

appeal form, which states that the subject is owner-occupied. The record contains no evidence that the Board's 2019 decision was reversed or modified upon review. While there is evidence that the subject was recently sold, the Board based its 2019 assessment for the subject on that sale, and, therefore, the subject's fair cash value is not different than the fair cash value on which the Board's previous assessment is based. For these reasons, the Board finds that the appellant has proven, by a preponderance of the evidence, that the subject's assessment should be carried forward, pursuant to section 16-185 of the Property Tax Code, to reflect the Board's 2019 decision, plus the application of an equalization factor, if any. As section 16-185 mandates that, by law, the subject's 2019 assessment shall be carried forward to the instant tax year, the appellant's argument requesting a further reduction due to the Covid-19 pandemic is moot.

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 19, 2023



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

Gail Duberchin Living Trust Agreement dtd. 7/10/02, by attorney:
Richard D. Worssek
Worssek & Vihon
180 North LaSalle Street
Suite 3010
Chicago, IL 60601

COUNTY

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