



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

APPELLANT: Kasia Cebula Nemmers
DOCKET NO.: 21-30251.001-R-1 through 21-30251.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Kasia Cebula Nemmers, the appellant(s), by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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
21-30251.001-R-1	17-09-319-027-1055	765	40,318	\$41,083
21-30251.002-R-1	17-09-319-027-1123	48	3,369	\$3,417

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 2021 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 two parcels improved with a residential condominium unit that is located on the 11th floor in a 14-story condominium building of masonry exterior construction that contains 146 units. The condominium building is approximately 18 years old. The subject unit contains 1,440 square feet of living area and features two bedrooms, two baths, central air conditioning, one fireplace, two balconies and a 1-car garage.¹ The subject has a combined 1.87% interest in the common elements of the condominium property. The property has a 12,788 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The description of the subject property was gleaned from the appraisal submitted by the appellant.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property estimating a market value of \$445,000 as of January 1, 2021. The appraisal was prepared by Gary Nusinow, a Certified General Real Estate Appraiser who inspected the interior and exterior of the subject property. The appraiser reported the property rights appraised were fee simple interest and the purpose of the appraisal for an ad valorem tax assessment. In estimating the subject's market value, the appraiser utilized the sales comparison approach only.

Under the sales comparison approach, the appraiser selected five comparable sales of residential condominium units located less than 1 block to .46 of a mile from the subject. Comparables #1, #2 and #3 are located in the same project (City View Tower) as the subject. The comparable sales are condo units ranging in size from 1,120 to 1,429 square feet of living area and are 12 to 96 years old. Comparable #5 which is 96 years old has a reported effective age of 15 years old. Each comparable has two bedrooms, two bathrooms, central air conditioning, and a 1-car or a 2-car garage. Two comparables each have a fireplace and four comparables each have a balcony. The comparables sold from July 2019 to August 2020 for prices ranging from \$419,000 to \$515,000 or from \$296.53 to \$388.39 per square foot of living area, including land. The appraiser adjusted the comparables for financing concessions and/or for differences from the subject in floor location, age, living area, and features to arrive at adjusted prices from \$424,000 to \$479,500. Based on this analysis, the appraiser concluded a value for the appraised property of \$445,000 as of January 1, 2021.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,108. The subject's assessment reflects a market value of \$581,080 or \$403.53 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted a sales analysis prepared by Marco Fernandez, an analyst with the Cook County Board of Review. The analyst provided sales data on 32 comparables of residential units that sold in the subject's condominium property that contains a total of 146 units. The sales occurred from January 2018 to September 2021 for prices ranging from \$1 to \$640,441 with a total consideration of \$7,681,577. The board of review analysis indicated these 131 units had a 23.69% ownership interest in the condominium. The total consideration was then divided by the total percentage of interest of ownership in the condominium property for the units that sold to arrive at an indicated full value for the property of \$32,425,399. The analyst then applied the percentage of interest of ownership for the unit under appeal of 1.76%² to arrive at a full value of \$570,687 and an assessment of \$57,069, when applying the level of assessment for class 2 property under the

² The board of review's analysis did not include the .11% ownership interest for the subject's additional parcel number 17-09-319-27-1055. By applying the additional ownership interest would result in a market value of \$606,355 for an assessment of \$60,535 for the subject property.

Cook County Real Property Assessment Classification Ordinance of 10%. Based on this evidence the board of review requested confirmation of the subject's assessment.

In a 3-page rebuttal brief, the appellant's counsel argued the board of review only submitted a list of 32 raw, unadjusted sales within the subject building that included sales of various parking spaces. Counsel further contends there were no property descriptions for the board of review sales which would allow PTAB to draw any reasonable or reliable comparison to the subject. In addition, counsel critiqued the board of review's analysis noting the methodology does not consider the square footage, upgrades, unit layout, condition or number of bedrooms. For these reasons the appellant's counsel contends the subject's assessment should reflect the appraised value.

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.

The appellant provided an appraisal of the subject property; and the board of review provided a sale analysis of 32 comparable sales within the subject's condominium complex.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser utilized five sales of 2-bedroom, 2-bathroom condominium units and adjusted them for differences when compared to the subject. The subject's assessment reflects a market value of \$581,080 or \$403.53 per square foot of living area, including land, which is above the appraised value. The Board also gives less weight to the board of review's analysis as it included sales that occurred in 2018 which are less likely to be reflective of market value as of the January 1, 2021 assessment date. In addition, the analysis included property that sold for \$1 which calls into question the arm's length nature of the transaction. The Board finds the subject property had a market value of \$445,000 as of the assessment date at issue. Since market value has been established the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10 shall apply. (86 Ill.Admin.Code §1910.50(c)(2). Based on this evidence the Board finds a reduction in the subject's assessment is justified.

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 17, 2025



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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