



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

APPELLANT: Evergreen Condominium
DOCKET NO.: 21-30387.001-R-1 through 21-30387.007-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Evergreen Condominium, the appellant, by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, 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 **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
21-30387.001-R-1	17-06-121-069-1001	5,280	44,704	\$49,984
21-30387.002-R-1	17-06-121-069-1002	5,280	44,704	\$49,984
21-30387.003-R-1	17-06-121-069-1003	4,063	34,453	\$38,516
21-30387.004-R-1	17-06-121-069-1004	4,713	39,510	\$44,223
21-30387.005-R-1	17-06-121-069-1005	4,553	38,899	\$43,452
21-30387.006-R-1	17-06-121-069-1006	4,876	40,992	\$45,868
21-30387.007-R-1	17-06-121-069-1007	4,876	40,992	\$45,868

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 consists of seven residential condominium units located in a 14-unit condominium building¹ that is approximately 22 years old. The residential units on appeal have a combined 94.80% ownership interest in the condominium. The condominium has a 7,800 square foot site including seven parking units located in Chicago, West Chicago Township, Cook County. The

¹ The seven residential units are on appeal with no challenge made to the seven parking units that comprise the condominium.

subject residential units are classified as class 2-99 properties under the Cook County Real Property Assessment Classification Ordinance.

The appellant filed the appeal as a market value appeal along with a contention of law with a brief and a landscape document, asserting the two sales with associated parking spaces were arm's length transactions in the subject building in 2020. The appellant reported a combined ownership interest in the two sales within the condominium of 26.33%.² The properties reportedly sold in February and May 2020 for a reported aggregate sales price of \$955,000. Based on this analysis, the appellant opined the subject building has an estimated market value of \$3,627,041 ($955,000 \div 26.33\%$). Next, in the brief the appellant depicts a 10% deduction for "personalty" of \$362,704, which is not further supported in the record, results in a total building value of \$3,264,337. Then, when the aggregate ownership interest of the seven appealed parcels of 94.80% is applied to the adjusted building value, the appellant concluded a market value for the parcels on appeal of \$3,094,591.

Lastly, the appellant asserted an 8.55% level of assessment for West Township should be applied purportedly based upon a 2020 Sales Ratio Study determined by the Illinois Department of Revenue. The brief asserts a copy of the study was attached although there was no such document submitted. Then, with the 8.55% level of assessment applied, the subject parcels should have a combined total assessment of \$245,908.³

Based on the foregoing, the appellant requested reductions be issued for the seven residential parcels on appeal.

The board of review submitted its "Board of Review Notes on Appeal." The appellant supplied a copy of the Final Decision disclosing the total assessment for the seven subject parcels of \$317,895. The subject's assessment reflects a market value of \$3,178,950, 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 document entitled Condominium Analysis Results for 2021 prepared by Lilybeth Kafka in which 6 sales of parcels in the condominium were outlined. Two sales were the same ones presented by the appellant, although each totaled \$549,999 and \$404,999, respectively. The board of review presented a third sale from July 2018 depicting an aggregate sale price of the residential and parking unit of \$474,999. The sales depict an aggregate sales price of \$1,429,997 and a combined ownership interest in the sold units, including the parking spaces, of 42.47% resulting in a conclusion of the full value of the condominium of \$3,367,075. Next, the analysis depicts an assessment for the condominium of \$336,708, rounded, when applying the Ordinance level of assessment for class 2-99 property of 10%, which is above the current assessment of the parcels on appeal.

² Two parcel numbers are identified for the residential unit sales along with two associated parking units that have an actual combined ownership interest as depicted on the landscape document of 28.33%.

³ Mathematically an 8.55% level of assessment applied to \$3,094,591 would result in an aggregate assessment total of \$264,588, rounded.

Based on the foregoing, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

As an initial matter, the Board gives no weight to the appellant's 10% adjustment that was applied to the sales presented by the appellant. The Board further finds nothing in the record supported such a purported "personalty" adjustment. In addition, since the brief containing this adjustment was prepared by counsel, the Board also finds that an attorney cannot act as both an advocate for a client and also provide unbiased, objective opinion evidence of value for that client's property.

Further as to the appellant's arguments, the Board gives no weight to the application of an 8.55% level of assessment to the total consideration of the adjusted sales price in the analysis, as the appellant, although citing supporting documentation, failed to establish any substantive evidence to apply anything other than the level of assessment set forth in the Cook County Ordinance 08-O-51 for class 2-99 property of 10%.

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 no reduction in the subject's assessment is warranted on this record.

The appellant submitted data on the sales of two properties with associated parking units located in the subject condominium and the board of review submitted data on those same two sales along with an additional 2018 sale of a residence and parking unit located in the subject condominium for the Board's consideration. As a preliminary matter and based upon the identified parcel numbers, the parties had four "overlapping" or common sales. The Board finds the appellant erred in reporting the ownership percentage represented by those four sales which have a total ownership interest of 28.33% in the condominium. The appellant also did not address by rebuttal whether the 2018 sale presented by the board of review should be considered.

Based on the miscalculation of ownership interest, the Board has given reduced weight to appellant's analysis which failed to accurately reflect the building value based on recent sales since erroneous data was used in the analysis. Furthermore, in the absence of any rebuttal from the appellant to refute the board of review's 2018 sale data, the Board has accepted the data from the board of review which appears to be more comprehensive and mathematically accurate.

The Property Tax Appeal Board finds that the best and most proximate sales in the record from within the subject's condominium building consist of six properties which sold from July 2018 to May 2020. These sales reflect an aggregate sales price of \$1,429,997. These sales depict an aggregate ownership interest of the properties that sold of 42.47% resulting in a full market value for the subject condominium building of \$3,367,075.

Applying the ownership interest of the units on appeal of 94.8% to this full value of the building, results in a total value of \$3,191,987 or a total assessment of approximately \$319,199, rounded,

for the parcels on appeal. As the record makes clear, the current total assessment of the 7 residential units on appeal is \$317,895. Thus, on this record, the Property Tax Appeal Board finds the evidence establishes by a preponderance of the evidence that no reduction is warranted as to the subject condominium building based on the most recent sales.

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: _____

May 20, 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

AGENCY

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