



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

APPELLANT: Amy Lyon  
DOCKET NO.: 21-31908.001-R-1  
PARCEL NO.: 14-19-216-054-1009

The parties of record before the Property Tax Appeal Board are Amy Lyon, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Northbrook, 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:** \$6,026  
**IMPR.:** \$22,827  
**TOTAL:** \$28,853

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 is an individual residential condominium unit located in a 16-unit condominium building that is approximately 103 years old. The subject unit has 6.634% ownership interest in the common elements of the condominium. The property has a 7,267 square foot site and is located in Chicago, Lake View 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 both overvaluation as the bases of the appeal. In support of the overvaluation component of the appeal, the appellant submitted a brief referencing information in Exhibit A, a landscape spreadsheet on six comparable sales in the subject's building, including the June 2019 sale of the subject for \$284,000. According to the appellant, the sale occurred during the "relevant time period of 2019 to 2021." Also, as part of Exhibit A, the appellant

depicted an “adjusted” sales price which accounted for an allocation of 5% for personal property. In this regard, the brief asserted that sales of condominium units include finished kitchens, draperies, carpeting and other items of personal property in addition to “soft costs” such as financing fees, attorney fees, and brokerage fees that “are not factored in to the sales price.”

The six sold units have a combined 36.684% ownership interest in the condominium.<sup>1</sup> The total consideration for these six units was \$1,595,500. Next appellant, as described in the brief, applied a downward 5% personal property adjustment to each sale, resulting in an adjusted sales price total of \$1,515,725. Next, the level of assessment under the Cook County Ordinance was applied to each sale to depict “corrected total assessments” for all 16 units in the condominium and opining the subject’s total assessment should be reduced to \$27,761.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment of the subject condominium unit under appeal of \$29,999. This assessment reflects a market value of \$299,990 when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property 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 it used the six sales presented by the appellant along with three additional sales that occurred in 2018. The nine sales had total consideration (combined sales prices) of \$2,596,000 and the sold units had 57.0740% ownership in the common elements, so the board of review arrived at a total value for the 16-unit building of \$4,548,480. Applying the 10% Ordinance level of assessment for class 2-99 property results in a total combined assessment for the 16 of \$454,848. Based on the foregoing 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.

As an initial matter, the Board has given weight to the appellant’s adjusted sales prices based on reducing sales prices by 5%. The Board finds the appellant provided no objective market data to support their argument. There was no evidence in this record to support any deduction from the prices of the comparable sales for personal property or soft costs. As such, the Board finds the appellant has failed to establish that condominium sales prices are entitled to be “adjusted” for personal property items that may be included in the sales price of the condominium unit. The Board further finds problematic the fact that appellant's counsel seems to have developed an

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<sup>1</sup> Although Exhibit A included data on percentage ownership interests, the percentages were only carried to two decimal points whereas the board of review reported ownership interests that are carried out four decimal points. The Board has used the more precise ownership interests of the sold units as reported by the board of review for this decision.

“adjustment” rather than an expert in the field of real estate valuation. The Board 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.

The appellant provided a sales analysis of six comparable sales where each sale included a residential condominium unit, while the board of review provided a sales analysis of nine sales, adding three sales of units that occurred in 2018. The Board finds the six sales analyzed by the appellant reflect a more credible and proximate sales analysis on this record, rather than including three sales from 2018 which are less proximate in time to the lien date of January 1, 2021 and less likely to be indicative of fair cash value as of the lien date.

Likewise, the Board gives less weight to the estimated market value as indicated in the board of review condominium analysis as the Property Tax Appeal Board finds no increase in assessment was requested, despite that the analysis arrives at a higher estimated market value for the entire condominium property.

The Property Tax Appeal Board finds the best evidence of market value to be the six common sales provided by the parties for a total consideration of \$1,595,500. Next, applying the ownership interest of 36.6840%, indicates a full value for the condominium property of \$4,349,308. Next, the subject unit on appeal has a 6.6340% ownership interest in the common elements or \$288,533, and then when applying the 10% level of assessment in accordance with the Ordinance, the subject's assessment would be \$28,853 which is less than the subject's current 2021 total assessment of \$29,999.

Furthermore, the Board finds that both parties utilized the June 2019 sale of the subject condominium unit, a sale price of \$284,000, in their respective analyses. The above analysis by the Property Tax Appeal Board appears further well-supported by the recent 2019 sale of the subject condominium unit at the 10% level of assessment with consideration for the passage of time to January 1, 2021.

Based on this evidence and after considering both parties' respective arguments, the Board finds a reduction in the subject's assessment is warranted as outline above.

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: \_\_\_\_\_

January 21, 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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