



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

APPELLANT: Kacper Piechnik  
DOCKET NO.: 21-37103.001-R-1  
PARCEL NO.: 14-17-401-056-1005

The parties of record before the Property Tax Appeal Board are Kacper Piechnik, the appellant, 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:

**LAND:** \$5,499  
**IMPR.:** \$22,101  
**TOTAL:** \$27,600

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 6-unit three-story condominium building that is approximately 123 years old. The subject unit has a 16.66% ownership interest in the common elements of the condominium. The unit contains 1,400 square feet of living area, 1 bathroom, central air conditioning, a deck, in-unit laundry and off street parking. The building has a 5,500 square foot site. The subject unit is on the top floor and located adjacent to elevated train tracks 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 overvaluation as the basis of the appeal relying upon a recent purchase price and an appraisal of the property. As to the sale price, the appellant completed Section IV – Recent Sale Data of the appeal petition. The appellant disclosed the property was purchased in

May 2021 for \$276,000 from sellers Carlos Hurtado and Hilda Babbitt. The parties to the transaction were not family members, the property sold through @properties by agent Anna Gutkowska. The property was advertised for a period of 8 days with the Multiple Listing Service (MLS) and was not sold due to foreclosure but did reportedly sell by use of a contract for deed. In further support, the appellant provided a copy of the Settlement Statement reiterating the sale date and purchase price and depicting the distribution of commissions to two real estate sales entities. The appellant also submitted a copy of the MLS data sheet related to the subject's advertisement depicting an original asking price of \$265,000 before the property sold for \$276,000.

The appellant also submitted an appraisal of the subject property prepared in relation to the purchase transaction. The appraisal was prepared by Agnes Jurowska, a Certified Residential Real Estate Appraiser. The appraiser inspected the unit and noted there were no updates in the prior 15 years with original finishes since condo conversion in 1995. Specifically, the living room has parquet flooring, ceramic tile in the kitchen and dining room, carpeting in bedrooms and the bathroom has dated ceramic tile floor and surround. Using the sales comparison approach to value, Jurowska estimated the subject property had a market value of \$276,000 as of April 22, 2021.

The appraiser analyzed three sales and one listing of comparable condominium properties located within .65 of a mile from the subject. The residential condominium units range in age from 107 to 119 years old and range in size from 900 to 1,600 square feet of living area. Each unit has from 1 to 2 bathrooms. Listing #4 has central air conditioning and one comparable has a space pac. Two comparables have a parking space and one comparable has a one-car garage. Two comparables have in-unit laundry hook-ups. The three comparables sold from May 2020 to April 2021 for prices of \$227,500 or \$290,000 or from \$181.25 to \$252.78 per square foot of living area. The listing had an asking price of \$359,000 or \$271.56 per square foot of living area.

Next, the appraiser made a downward adjustment to the listing since it was not a closed sale. Then the appraiser made adjustments to the comparables for differences in location, floor location, condition, bathroom count, dwelling size, parking feature, and/or in-unit laundry amenities. Based on the foregoing adjustments, the appraiser concluded adjusted sales prices ranging from \$267,500 to \$309,000. From this data, the appraiser concluded the subject's value under the sales comparison approach was \$276,000, giving more weight to appraisal sales #1 and #2 as three-bedroom units more similar to the subject.

Based on the foregoing evidence, the appellant requested a total assessment of \$27,600 to reflect the purchase price and appraised value conclusion at the Ordinance level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment of the subject condominium unit under appeal of \$37,391. This assessment reflects a market value of \$373,910 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 2022 prepared by Marco Fernandez in which it used

three sales in the subject building that occurred in November 2020 and March 2022. Besides the foregoing analysis, there is a second document related solely to the subject residential unit. As presented by the board of review, the three sales had total consideration (combined sales prices) of \$1,200,000 and the sold units had 49.98% ownership in the common elements, therefore arriving at a total value for the 6-unit building of \$2,400,960. As the subject has a 16.66% interest in the common elements, applying this percentage to the total market value, results in an estimated value for the subject unit of \$400,000, rounded, which is higher than the subject's current total assessment on appeal of \$37,391.

The documentation includes a notation that the subject unit was "below market Needing renovations." A copy of the MLS listing data sheet for the subject includes a remark "in need of renovation/cosmetic upgrades." Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that the board of review did not submit an appraisal of the subject property. Instead, the board of review set forth three unadjusted raw sales located within the subject building. Appellant contends that the board of review methodology fails to take into account the unique details of the subject property in size, upgrades, layout, condition, number of rooms or any other characteristics. In contrast, the appraisal prepared by Jurowska represents a better and more detailed opinion of value of the subject. Two of the three sales presented by the board of review occurred more than a year after the lien date at issue of January 1, 2021. Finally, the board of review did not contest nor present evidence to challenge the arm's length nature of the sale of the subject property on May 21, 2021.

### **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 appellant provided data and documentation of the May 2021 purchase of the subject property along with an appraisal prepared in association with the purchase transaction. The property's sale price was \$276,000 and after conducting a comparable sales analysis with adjustments, the appellant's appraiser concluded a market value for the subject of \$276,000. In contrast, the board of review provided a listing of three comparable sales of units within the subject's condominium building, excluding the subject's sale as part of the analysis.

As an initial matter, the Board finds less weight should be given to two of the three sales presented by the board of review which occurred in March 2022, as such sales occurred some 14 months prior to after the lien date at issue of January 1, 2021. Moreover, the board of review made no substantive challenge to the arm's length sale of the subject property in response to this appeal.

The Property Tax Appeal Board finds the best evidence of market value to be the sale of the subject condominium unit for \$276,000 in May 2021, a date approximately four months after the lien date. A contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). Furthermore, the sale of a property during the tax year in question is a relevant factor in considering the validity of the assessment. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369, 375 (1st Dist. 1983). Next, when applying the 10% level of assessment in accordance with the Ordinance, the subject's assessment would be \$27,600 which is less than the subject's current 2021 total assessment of \$37,391.

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 and commensurate with the appellant's request.

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:

February 18, 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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