



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

APPELLANT: Irving & Kenmore, LLC
DOCKET NO.: 21-38580.001-R-1
PARCEL NO.: 14-21-309-012-0000

The parties of record before the Property Tax Appeal Board are Irving & Kenmore, LLC, the appellant, by attorney Douglas LaSota, of O'Keefe, Lyons & Hynes, LLC 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:

LAND: \$56,250
IMPR.: \$77,750
TOTAL: \$134,000

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 a 3-story building of masonry exterior construction with 5,508 square feet of building area. The building is approximately 104 years old. Features include a basement, three 2-bedroom/2-bathroom apartment units, one 2-bedroom/2-bathroom garden apartment unit, and a 2-car garage. The property has a 3,750 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-11 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 an appraisal estimating the subject property had a market value of \$1,100,000 as of January 1, 2021. The appraisal was prepared by Brian T. McNamara, a certified general real estate appraiser, to estimate the market value of the subject as of January 1, 2021.

Under the income approach, the appraiser selected four rent comparables that are from 1-bedroom to 3-bedroom units with 1 or 2 bathrooms. The comparables have monthly rents ranging from \$1,275 to \$3,300. The appraiser estimated monthly rents for the subject from \$2,095 to \$2,795 and a potential gross income of \$118,080. The appraiser next estimated vacancy and collection losses of 10% or \$11,808, based on retail, storefront, and office vacancy rates.¹ The appraiser then estimated expenses of \$29,756 and computed net operating income of \$76,516. For the capitalization rate, the appraiser examined market sales in Chicago, mortgage returns for industrial properties, and surveys of warehouse properties to compute a loaded capitalization rate of 7.00%. Based on this analysis, the appraiser concluded a value for the subject of \$1,090,000, rounded, under the income approach.

Under the sales comparison approach, the appraiser selected six comparable sales of 2-story or 3-story buildings that were built from 1884 to 1900. Each comparables has four apartment units, plus additional apartment units in a rear coach house. Two of the comparables have garden apartments. The parcels range in size from 2,950 to 3,575 square feet of land area and are located from 0.68 of a mile to 1.94 miles from the subject. The comparables sold from January to October 2021 for prices ranging from \$1,150,000 to \$1,440,000 or from \$287,500 to \$360,000 per unit, land included. The appraiser stated the comparables are similar to the subject in number of units and location so no adjustments were needed. The appraiser also noted no adjustments for property rights were needed as the subject is a “multi-unit, commercial storefront and storage type property.”² The appraiser concluded a value for the subject of \$1,100,000 under the sales comparison approach.

In reconciliation, the appraiser gave most weight to the sales comparison approach in concluding a market value of \$1,100,000 as of January 1, 2021.

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

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$134,000. The subject's assessment reflects a market value of \$1,340,000 or \$243.28 per square foot of living area, or \$335,000 per apartment unit, 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 information on four comparable sales, one of which is located within the same assessment neighborhood code as the subject. The parcels range in size from 3,075 to 9,600 square feet of land area and are improved with 2-story or 3-story, class 2-11 buildings of masonry or frame exterior construction ranging in size from 2,594 to 14,382 square feet of building area. The buildings range in age from 92 to 138 years old. Each comparable has a basement, one of which is finished with an apartment. One building has central air conditioning and three fireplaces and

¹ The Board notes the narrative discusses a 7% rate but the computation uses 10%.

² The Board notes this description of the subject property differs from the prior descriptions of the subject contained in the appraisal.

one comparable has a 2-car garage. The comparables sold in June and August 2021 for prices ranging from \$1,432,000 to \$2,572,331 or from \$178.86 to \$653.67 per square foot of building area, including land. Based on this 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.Adm.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.Adm.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 presented an appraisal and the board of review presented four comparable sales in support of their respective positions before the Board. The Board gave less weight to the appraised value conclusion. For the income approach, the Board finds the appraiser erroneously examined capitalization rates for the market as a whole and for industrial/warehouse properties that are dissimilar to the subject. Furthermore, the appraiser selected four rent comparables that are dissimilar to the subject in bedroom and bathroom counts. For the sales comparison approach, the appraiser selected three of six comparables located more than one mile from the subject and made no adjustments to any of the comparables for differences from the subject. For these reasons, the Board finds the appraisal states a less credible and/or reliable opinion of value and the Board will instead consider the raw sales data in the appraisal and presented by the board of review.

The Board finds the best evidence of market value to be the appraisal sales #3, #4, and #6, which are more similar to the subject in location, site size, and number of units, but have varying degrees of similarity to the subject in age and other features. These comparables are much older buildings than the subject and each lack a garage, suggesting upward adjustments to these comparables would be needed to make them more equivalent to the subject.

The Board gave less weight to appraisal sales #1, #2, and #5, which are located more than one mile from the subject, and to the board of review's comparables, which differ substantially from the subject in location and/or building size.

These comparables sold for prices ranging from \$1,342,500 to \$1,440,000 or from \$335,625 to \$360,000 per apartment unit, including land. The subject's assessment reflects a market value of \$1,340,000 or \$335,000 per apartment unit, including land, which is below the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's assessment is not 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: _____

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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