



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

APPELLANT: Marianne S. Berger Trust  
DOCKET NO.: 21-39020.001-R-2  
PARCEL NO.: 14-28-319-112-1080

The parties of record before the Property Tax Appeal Board are Marianne S. Berger Trust, 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 **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:** \$43,268  
**IMPR.:** \$806,732  
**TOTAL:** \$850,000

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 consists of a condominium unit with a 2.5073% ownership interest in the common elements of the 39-story condominium property that includes 219 residential units. The subject is a lake view 1-story unit with 9,192 square feet of living area that features central air conditioning, one fireplace, four garage spaces, two decks and two terraces. The condominium property has 143,808 square feet of land area 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 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 \$8,500,000 as of January 1, 2021. The appraisal was prepared by Christopher R. Glenday, a

Certified Residential Real Estate Appraiser. The intended use of the appraisal report was for a real estate assessment appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located within 2.33 miles from the subject property. The comparables have floor locations from 33<sup>rd</sup> to 51<sup>st</sup> floor of their respective buildings and are improved with one-story condominium units of good quality construction that range in size from 6,240 to 10,000 square feet of living area. The units are from 5 to 22 years old. Each comparable has central air conditioning, two or six garage spaces and multiple balcony/patio amenities. The comparables sold from October 2019 to January 2021 for prices ranging from \$8,200,000 to \$9,000,000 or from \$900.00 to \$1,346.15 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in floor location, condition, room count, dwelling size and garage capacity arriving at adjusted sale prices for the comparables ranging from \$8,330,163 to \$8,939,787 and an opinion of market value for the subject of \$8,500,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$1,012,649. The subject's assessment reflects a market value of \$10,126,490 or \$1,101.66 per square foot of living area, land included, 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 Cathy Cahill, an analyst with the Cook County Board of Review. The analyst provided sales data on 66 comparable sales of residential units in the subject's condominium property. The sales occurred from February 2018 to December 2021 for prices ranging from \$475,727 to \$5,129,627. The analyst reported a total consideration for these sales of \$119,062,353. The total consideration was divided by the percentage of interest of ownership in the condominium property for the units that sold of 27.3637% to arrive at an indicated full value for the property of \$435,110,577. The analyst then applied the percentage of interest of the unit under appeal of 2.5073% to arrive at a full value of \$10,909,528 and an assessment of \$1,090,953, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. 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.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 submitted an appraisal and the board of review submitted a condominium analysis. The Board gives less weight to the condominium analysis submitted by the board of review. The Board finds none of the condominium unit sales used by the board of review in their condominium unit analysis has a similar ownership interest as the subject property and that the board of review evidence excludes property details for the comparable properties such as floor location and dwelling size. The Board finds the best evidence of market value to be the appraisal submitted by the appellant which presented three comparables relatively similar comparable properties which sold proximate to the assessment date and were adjusted for differences from the subject. The subject's assessment reflects a market value of \$10,126,490, including land, which falls above the appraised value. The Board finds the subject property had a market value of \$8,500,000 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%. (86 Ill.Admin.Code §1910.50(c)(2).

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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