FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: John Brzozowski
DOCKET NO.: 21-45351.001-R-1 through 21-45351.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are John Brzozowski, the appellant(s), by attorney Max E. Callahan, of Siegel & Callahan, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
21-45351.001-R-1	14-29-206-068-1001	19,008	11,200	$30,208
21-45351.002-R-1	14-29-206-068-1002	19,602	11,200	$30,802
21-45351.003-R-1	14-29-206-068-1003	20,790	11,200	$31,990

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 three parcels, identified with Property Index Numbers (PINs) 1429-206-068-1001, 1002, and 1003, improved with a three-story, masonry-constructed residential building of approximately 4,300 square feet of gross building area, including a finished garden-level basement that is duplexed with the first-floor unit. The structure is approximately 128 years old and is situated on a 3,960-square-foot rectangular, non-corner lot located in the city of Chicago, Illinois, across from a large hospital. Appellant reports that the subject is not owner occupied.

Appellant contends that the subject property is overvalued. In support of this position, they submitted a retrospective appraisal report concluding an "as is" market value $930,000 as of January 1, 2021. The appraisal was prepared by Greg B. Nold, MAI, Certified General Real Estate Appraiser with Real Property Group, for ad valorem tax purposes, based on an inspection conducted on June 7, 2022. The appraiser concluded that although the subject is classified and assessed as three autonomous condominium units, its actual market behavior is that of a single income-producing three-unit apartment building, noting that the property has long been operated as a unified rental entity and that its prior sales in 1989 and 1998 transferred all units together rather than individually. He determined the highest and best use of the property, as improved, to be continued multi-family rental use, based on its age, physical characteristics, functional obsolescence, and the absence of condominium-appropriate amenities.

In developing value, Mr. Nold rejected the cost approach due to substantial depreciation of the 128-year-old structure and instead employed both the Sales Comparison Approach and the Income Capitalization Approach. Under the Sales Comparison Approach, Nold analyzed five sales of comparable small multi-unit residential buildings located in competitive Chicago neighborhoods, adjusted for differences in location, size, functionality, parking, and below-grade space, and derived an adjusted value indication of approximately $925,000.

Under the Income Capitalization Approach, Nold developed market rents from eleven comparable rentals, concluded a projected annual potential gross income of $930,000, applied a 3% vacancy factor, deducted stabilized operating expenses, and derived a net operating income of $76,586. Using a mortgage-equity derived capitalization rate of 6.00% plus a tax load factor of 2.23%, for a total rate of 8.23%, he capitalized the NOI to reach a value conclusion of $930,571, which he rounded to $930,000.

In reconciliation, Nold afforded significant weight to both approaches, particularly the income approach as most reflective of investor behavior for multi-unit rental properties—and concluded a final as-is market value of $930,000 for the subject property as of the assessment date.

The Board if Review (BOR) submitted its Notes on Appeal and a 2021 condominium sales analysis for the subject property identified as PINs 14-29-206-068-1001, -1002, and -1003, classified as Class 2-99. The BOR reported that the assessment before and after its review remained $59,400 for land and $100,600 for improvements, for a total assessed value of $160,000. The condominium analysis identifies the subject as a three-unit condominium building, with all units included in the appeal and in the BOR's valuation study. The analysis reflects a stated total consideration of $1,600,000 derived from three "selected sales," and applies no adjustment factor, resulting in a full indicated market value of $1,600,000 and a corresponding assessed value of $160,000 for the appealed units. The sales information section lists the most recent recorded transfers for the subject as February 1, 1998, under deed number 98208981, and no more recent sales of the subject units are shown in the Board's evidence. The BOR sought confirmation of the assessed value of the subject property.

Hearing

This docket was set for hearing before the Property Tax Appeal Board's Administrative Law Judge on February 25, 2025.

Testimony and Cross-Examination of Mr. Greg Nold

The appellant presented the testimony of Gregory Nold, a Certified General Real Estate Appraiser with an MAI designation, who was admitted as an expert in residential appraisal without objection. Nold testified that he personally inspected the subject property and prepared the January 1, 2021, appraisal submitted into evidence. Nold explained that the subject consists of a three-unit, approximately 130-year-old masonry residential structure that is technically organized as three condominium units under a Class 2-99 designation but has in fact been used continuously for decades as a single, income-producing rental property.

Nold opined that the subject's highest and best use is its continued operation as a unified rental building rather than the sale of individual condominium units, explaining that the property's significant age, functional obsolescence, and lack of modern amenities prevent it from competing in the condominium marketplace. He testified that the Class 2-99 condominium designation does not confer any additional market value, as the market would not support individual unit sales. To determine value, Nold selected five comparable sales involving similar Class 2-11 multi-unit investment buildings and applied both the sales comparison approach and the income capitalization approach, concluding that the subject's market value as of January 1, 2021, was $930,000. He further reaffirmed during his testimony that these conclusions were the same opinions, analyses, and value findings he expressed in his written appraisal, including the conclusions derived through his comparable-sales analysis and income-capitalization methodology. Nold concluded a final as-is market value of $930,000 for the subject property as of the assessment date.

During cross-examination, Nold acknowledged that condominium purchasers typically buy for occupancy and do not rely on income valuation; however, he reiterated that the subject's characteristics align it with investor-owned multi-unit properties, not condominium units.

He was questioned about statements regarding "like-and-like" comparisons in a separate appraisal. Nold clarified that, in this case, comparability required using gross building area, including common elements, because his selected comparables (Class 211 properties) are valued on that basis. He further confirmed that he did not value each condominium unit separately because market behavior, physical characteristics, and the subject's long-term use all support treating the structure as a single income-producing building.

No testimony elicited on cross-examination altered his methodology or value conclusion.

Board of Review's Case

The Board of Review appeared through Analyst John Lartz, who testified regarding the assessment classification of the subject property. Mr. Lartz stated that the property is organized as three condominium units, each classified by the Cook County Assessor as Class 2-99 property. He further testified that, pursuant to the Illinois Condominium Property Act, each condominium unit must be assessed individually rather than as a single property as a whole.

He stated that the owner's decades-long rental use resulted in no condominium unit sales within the building and therefore no direct sales data to rely upon. In such cases, the Board and the Assessor apply standard practice by analyzing sales of other condominium units in the surrounding market area. Using that method, the Board identified three comparable condominium sales and derived projected market values of approximately $525,000, $525,000, and $550,000, producing a total estimated market value of $1.6 million.

On cross-examination, Lartz acknowledged that he did not personally prepare the Notes on Appeal, did not personally verify the interior condition, finishes, or quality of the comparable sales, and did not conduct physical inspections of those properties. When asked, he could not provide property addresses or confirm the comparability of those condominium sales beyond the information contained in the Board's records. Despite these limitations, Lartz testified that the Board of Review followed the statutory method governing condominium valuation and maintained that the appellant's appraisal—valuing the subject as a single income-producing property—conflicted with the legally required unit-by-unit assessment framework.

During the hearing, Mr. Lartz asserted that the Illinois Condominium Property Act governs how condominium units must be assessed and applied that statute to argue that the subject property must be valued as three separate condominium units rather than as a unified income-producing building. Mr. Lartz stated that, under Section 10 of the Act, each condominium unit must be individually assessed based on its percentage of ownership interest and "not upon the property as a whole," and emphasized that this statutory requirement applies regardless of how the owner has chosen to use the property over time. Relying on this interpretation, the BOR maintained that it was required to derive market values for each PIN as an individual condominium unit and could not adopt an appraisal that treated the property as a single Class 2-11-type multi-unit structure. The BOR therefore prepared projected unit values based on external condominium sales and argued that the appellant's appraisal "runs afoul of the statute" because it does not follow the separate-unit assessment method prescribed by the Condominium Property Act.

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 taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d Dist. 2000). 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 issue before the Property Tax Appeal Board is whether the appellant has demonstrated, by a preponderance of the evidence, that the 2021 assessment of the subject property is excessive. After carefully considering the written appraisal, the testimony presented at hearing, and the Board of Review's evidence, the Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

As a preliminary matter, the Board addresses the parties' conflicting positions regarding the subject's classification and the relevance of that classification to the determination of market value. The BOR contends that the Illinois Condominium Property Act requires the subject property to be valued as three separate condominium units because the Act mandates that each condominium unit be individually assessed based on its percentage of ownership interest. This argument, however, is not controlling in this proceeding. The Condominium Property Act governs the administrative duties of county assessing officials—specifically, how assessments must be allocated among condominium units. It does not dictate the methodology by which the Property Tax Appeal Board must determine market value in fact.

The Property Tax Appeal Board operates under the Illinois Property Tax Code, which requires an independent evaluation of the evidence to determine the correct assessment based on market value. The Board is not bound by the assessor's classification, nor is it required to adopt assessment procedures that apply only to assessors when those procedures conflict with competent market-value evidence in the record.

In this case, the record contains no evidence that the three units comprising the subject property are separately owned, marketed, or functioning as independent condominium units. To the contrary, the uncontroverted testimony establishes that the property has been used continuously as a unified, income-producing rental building. Analyst John Lartz reinforced this fact when he acknowledged that the "owner's decades-long rental use" resulted in no condominium unit sales, confirming that the property has functioned exclusively as a rental income asset. The absence of any unit sales likewise left the Board of Review without comparable sales from within the subject complex that could be used for valuation purposes

The BOR provided no legal authority demonstrating that the Condominium Property Act limits PTAB's ability to consider an appraisal valuing the property according to its actual use and highest and best use as a single multi-unit income property. Because PTAB's statutory responsibility is to determine market value based on the weight of the evidence, and because credible appraisal evidence supports valuation of the property as a unified rental building, the Board concludes that it is not required to apply the Condominium Property Act in determining the subject's market value for assessment purposes.

As a secondary matter, the BOR questioned why the appellant has continued to use the subject as a Class 2-11 type income-producing building for decades while never attempting to change its formal classification from Class 2-99. While that concern may explain the assessor's historic treatment of the property, it has no bearing on this Board's determination of market value. This Board has no authority to change a property's classification, although it may consider whether the existing classification reflects the property's actual characteristics when evaluating the correctness of an assessment. More importantly, PTAB does not penalize a taxpayer for failing to seek a classification change at the assessor level. The Board's duty is to determine market value based on the evidence in the record, not on whether the owner pursued an administrative reclassification. Accordingly, market value is determined by credible appraisal analysis and actual use, and not by the taxpayer's decision—whether intentional or inadvertent—to leave an outdated classification unchanged.

The Board finds that the appellant has met its burden of proving overassessment by a preponderance of the evidence. The most credible and persuasive evidence of the subject property's fair cash value is the retrospective appraisal submitted by the appellant and supported by the sworn testimony of Certified General Real Estate Appraiser Greg Nold, MAI. Mr. Nold conducted an inspection of the subject and developed two independent valuation approaches—Sales Comparison and Income Capitalization, each supported by verified market data. In the Sales Comparison Approach, the appraiser analyzed five comparable sales, including multiple multi-unit Class 211 investment properties with similar physical, functional, and economic characteristics. In the Income Approach, the appraiser relied on a separate set of market-based rental comparables to derive stabilized market rents and expenses consistent with investor expectations.

The Board finds that the appraisal's market-based evidence—including all verified comparable sales, rental comparables, and the associated quantitative adjustments—was thorough, consistent with accepted appraisal methodology, and credibly explained. Mr. Nold provided persuasive testimony regarding the selection of comparables, the rationale for each adjustment, and the functional and economic factors affecting the subject property, including its age, dated interior features, and the limitations inherent in its historic configuration. His unrebutted testimony also established that buyer behavior in this asset class is driven primarily by size, location, and income-producing potential, and that geographic distance between comparables is not determinative when properties share similar risk profiles and rental performance expectations—an appraisal principle the Board finds logical and well supported.

The Board further credits Mr. Nold's testimony that the use of Class 2-11 multifamily comparables in both the sales comparison and income approaches was appropriate and consistent with the subject's practical operation as a unified rental property rather than as three independent condominium units.

In contrast, the BOR presented no appraisal, no adjusted comparable sales, no income analysis, no photographs, and no MLS or verification data to support its position. Instead, it relied solely on a statutory percentage-ownership calculation applied to two unadjusted residential condominium sales, offering no supporting information whatsoever about these transactions—no addresses, no descriptions, no locations, no physical characteristics, no verification of comparability, and no explanation of how the projected values were derived. The record contains no indication that the BOR made any adjustments for differences in condition, configuration, age, location, size, or other relevant market factors, nor does its submission disclose any methodology capable of supporting its conclusions. The BOR further referenced sales of the subject units from the early 1990s, which have no probative value for the January 1, 2021, assessment date. As a result, the BOR produced no evidence capable of rebutting the appellant's professionally developed appraisal or the testimony explaining the use, reliability, and market relevance of the appraiser's two sets of verified comparable data.

Based on the record before it, the Board concludes that the appellant's appraisal constitutes the only competent, detailed, and methodologically sound evidence of market value. The use of multiple verified comparable sales and multiple rental comparables provides evidentiary foundation supporting the appraiser's reconciled value opinion of $930,000 as of January 1, 2021. The Board of Review's unsupported assessment of $1,600,000 therefore lacks sufficient evidentiary basis.

For these reasons, the Board finds that the subject property was over assessed for the 2021 tax year. The assessment must be reduced to reflect a fair cash value of $930,000.

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:

C E R T I F I C A T I O N

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: July 21, 2026

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

State of Illinois

Property Tax Appeal Board

William G. Stratton Building, Room 402

401 South Spring Street

Springfield, IL 62706-4001

APPELLANT

John Brzozowski, by attorney:

Max E. Callahan

Siegel & Callahan, P.C.

141 W. Jackson

Suite 1795

Chicago, IL 60604

COUNTY

Cook County Board of Review

County Building, Room 601

118 North Clark Street

Chicago, IL 60602