



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

APPELLANT: Tom Leko
DOCKET NO.: 21-50826.001-R-1
PARCEL NO.: 13-13-328-001-0000

The parties of record before the Property Tax Appeal Board are Tom Leko, the appellant, by attorney Daniel G. Pikarski, of Gordon & Pikarski 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: \$31,250
IMPR.: \$51,750
TOTAL: \$83,000

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 7,980 square feet of building area, together with a 1,360 square foot finished coach house.¹ The improvements are approximately 99 years old. The building features an unfinished basement, and the property has seven apartment units. The property has a 6,250 square foot site and is located in Chicago, Jefferson 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 \$830,000

¹ The Board finds the best evidence of the subject's features and amenities is found in the appellant's appraisal which includes a more detailed description of the subject than the evidence presented by the board of review. The subject's above-grade finished area totals 9,340 square feet of building area.

as of January 1, 2021. The appraisal was prepared by Ibi Cole, a certified general real estate appraiser.

Under the income approach, the appraiser selected eight rent comparables located within 0.5 of a mile from the subject. The comparables are 3-bedroom apartment units with rents ranging from \$1,200 to \$2,400 per month. After considering these market rents and the subject's actual rents, the appraiser concluded the subject's actual rents are market rents and computed potential gross income of \$152,880, including rents, laundry and other income. The appraiser estimated vacancy of 7.5% or \$11,466 to calculate effective gross income of \$141,414. The appraiser next estimated expenses of \$57,456 to compute net operating income of \$83,958. Considering the band of investment method and investor surveys, the appraiser concluded a loaded capitalization rate of 10.24%. The appraiser concluded a value for the subject of \$820,000 rounded under the income approach.

Under the sales comparison approach, the appraiser selected five comparable sales of 6-unit multi-family buildings located from 2 to 3.5 miles from the subject. The comparables range in building size from 4,550 to 6,00 square feet of building area and have varying degrees of similarity to the subject in age, site size, and features. The comparables sold from February 2018 to July 2020 for prices ranging from \$398,000 to \$1,085,000 or from \$66,333 to \$180,833 per apartment unit. The appraiser made adjustments to the comparables for differences from the subject to arrive at adjusted prices ranging from \$398,000 to \$1,085,000. Based on this analysis the appraiser concluded a value for the subject of \$125,000 per apartment unit or \$880,000 rounded under the sales comparison approach.

The appraiser gave the most weight to the income approach in opining a market value for the subject of \$830,000 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 \$135,000. The subject's assessment reflects a market value of \$1,350,000 or \$144.54 per square foot of building area, including land,² 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 located within 0.25 of a mile from the subject. The parcels range in size from 3,125 to 3,625 square feet of land area and are improved with 2-story, class 2-11 buildings of masonry exterior construction ranging in size from 2,102 to 2,408 square feet of building area. The comparables range in age from 62 to 113 years old. Each comparable features a basement, two of which are finished with a recreation room, and a 1-car or a 2-car garage. One comparable has central air conditioning. The comparables sold from April 2018 to November 2021 for prices ranging from \$1 to \$877,000 or from \$0 to \$364.20 per square foot of building area, including land.

² Based on 9,340 square feet of combined building area for the subject.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant presented an appraisal and the board of review presented four comparable sales for the Board's consideration. The Board finds the best evidence of market value to be the appraisal submitted by the appellant, which developed the income and sales comparison approaches to value and relied on similar rent comparables to reconcile a value for the subject as of the assessment date. The Board gave little weight to the board of review's comparables which are substantially smaller properties than the subject, two of which sold for \$1 indicating these were not arm's length sales. The subject's assessment reflects a market value of \$1,350,000 or \$144.54 per square foot of living area, including land, which is above the appraised value conclusion. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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: _____

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

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