



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

APPELLANT: Mayfair Condominium Association
DOCKET NO.: 21-55165.001-R-3 through 21-55165.029-R-3
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Mayfair Condominium Association, the appellant, by attorney Holly Zeilinga, of Worssek & Vihon 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
21-55165.001-R-3	17-03-208-034-1001	24,709	573,244	\$597,953
21-55165.002-R-3	17-03-208-034-1002	19,767	458,596	\$478,363
21-55165.003-R-3	17-03-208-034-1003	19,385	449,719	\$469,104
21-55165.004-R-3	17-03-208-034-1004	18,938	439,364	\$458,302
21-55165.005-R-3	17-03-208-034-1005	9,182	213,025	\$222,207
21-55165.006-R-3	17-03-208-034-1006	9,310	215,982	\$225,292
21-55165.007-R-3	17-03-208-034-1007	9,150	212,285	\$221,435
21-55165.008-R-3	17-03-208-034-1008	8,959	207,846	\$216,805
21-55165.009-R-3	17-03-208-034-1009	8,927	207,107	\$216,034
21-55165.010-R-3	17-03-208-034-1010	8,895	206,368	\$215,263
21-55165.011-R-3	17-03-208-034-1011	8,895	206,368	\$215,263
21-55165.012-R-3	17-03-208-034-1012	11,478	266,280	\$277,758
21-55165.013-R-3	17-03-208-034-1013	14,188	329,152	\$343,340
21-55165.014-R-3	17-03-208-034-1014	8,800	204,148	\$212,948
21-55165.015-R-3	17-03-208-034-1015	11,159	258,883	\$270,042
21-55165.016-R-3	17-03-208-034-1016	13,965	323,975	\$337,940
21-55165.017-R-3	17-03-208-034-1017	8,576	198,971	\$207,547
21-55165.018-R-3	17-03-208-034-1018	9,832	251,487	\$261,319
21-55165.019-R-3	17-03-208-034-1019	13,550	314,360	\$327,910
21-55165.020-R-3	17-03-208-034-1020	7,971	184,916	\$192,887
21-55165.021-R-3	17-03-208-034-1021	8,034	186,397	\$194,431
21-55165.022-R-3	17-03-208-034-1022	7,811	181,219	\$189,030
21-55165.023-R-3	17-03-208-034-1023	7,875	182,697	\$190,572
21-55165.024-R-3	17-03-208-034-1024	7,652	177,520	\$185,172
21-55165.025-R-3	17-03-208-034-1025	7,684	178,259	\$185,943

21-55165.026-R-3	17-03-208-034-1026	7,492	173,822	\$181,314
21-55165.027-R-3	17-03-208-034-1027	7,524	174,562	\$182,086
21-55165.028-R-3	17-03-208-034-1028	9,055	210,065	\$219,120
21-55165.029-R-3	17-03-208-034-1029	9,055	210,065	\$219,120

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 improved with 29-unit condominium building that is approximately 98 years old. The 29 units have a combined 100.00% ownership interest in the condominium. The property has an approximately 12,753 square foot site and is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant filed the appeal as a contention of law with a brief and documentation identifying the respective ownership percentages for each of the units along with information on five sales in the subject building which occurred from June 2018 to September 2021. The appellant argued the purchase price of the condominium units in the subject's building should be adjusted to account for parking spaces that are included in the sale price. The appellant asserted that parking spaces for the subject building are located in a parking condo identified as 180-190 East Walton Garage Condominium that have parcel identification numbers (PINs) from 17-03-208-033-1001 to 1095. The appellant submitted Property Detail printouts from the Cook County Assessor's Office website which disclosed each parking space has a market value, as of January 1, 2021, of \$17,130, based on an assessment of \$1,713, for each of the parking spaces at issue in this appeal, which the board of review did not refute.

The appellant also submitted printouts from the Cook County Clerk's Office for each of the five sales and Multiple Listing Service (MLS) sheets on four of their five sales. Printouts from the Clerk's office contained sale dates, sale prices and PIN numbers for the various sales. The appellant summarized the five sales in a table entitled Mayfair Condominium Association 2018 through Present Sales. This table disclosed the sale of 17-03-208-034-1016 (appellant sale #2) included three recorded sale documents, although only two of the three Clerk's office documents were submitted by the appellant. The MLS sheet for the sale of appellant sale #2 reports a sale price of \$3,775,000 including two parking spaces. The Board finds the sale prices presented in the appellant's Mayfair Condominium Association sales table and labeled "Sale Price," disagree with the reported sale prices presented in either the MLS or printouts from the Clerk's office. Furthermore, the appellant's evidence accounts for a sale price of \$1,626,740 for appellant sale

#2 in their calculation of the total consideration of the five sales.¹ The sale price for each of the appellant's comparable sales, as presented in their table, reflects the actual sale price less a market value of \$17,130 for each parking space sold with each unit, except for appellant sale #2, where the appellant accounted for only part of the sale price and adjusted for two parking spaces.

In addition to the adjustment for parking spaces, the appellant contended there are "numerous" reasons that raw sales prices should be adjusted. The appellant, through counsel, applied a downward market adjustment, which was summarized in the brief (see five factors),² "[f]or all of these reasons, we will allocate 15% of the gross consideration to account for overall market adjustment, including personal property transferred with each unit." (Brief, p. 4).

Based on the foregoing information and methodology, the appellant detailed five sales in the condominium for a total consideration of \$10,425,500, which have a combined 14.83% interest in the common elements of the condominium property. Counsel determined the 11 parking spaces had a combined value of \$188,430 and subtracted this garage value from the total consideration to arrive at an adjusted sale price of the condominium units of \$10,237,070. Next, deducting 15%, counsel set forth a total adjusted sale price of \$8,701,510. This figure was then divided by the 14.83% ownership interest in the units sold resulting in a full value for the condominium building of \$58,675,047. The appellant then multiplied this estimated market value by "a uniform debasement factor" for residential property of 9% based upon the 2020 Illinois Department of Revenue Sales Ratio Study determining a three-year median level of assessment for residential property of 8.31% (copy enclosed with the appeal petition). Using the 9% figure, the appellant arrived at a combined total assessment for the 29 units under appeal of \$5,280,754, rounded.

Based on the foregoing contention of law argument and evidence, the appellant requested reductions in the assessments of the subject's 29 condominium units to reflect a total combined assessment of \$5,280,754.

The board of review submitted its "Board of Review Notes on Appeal." A copy of the final decision filed in this appeal by the appellant discloses a combined assessment for the 29 units under appeal of \$7,741,500. This assessment reflects a market value of \$77,415,000 when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-99 property of 10%.

¹ Given information contained in the Clerk's printouts and MLS sheets submitted by the appellant the total combined sale price for the appellant's five sales, including eleven parking spaces, totals \$12,539,500.

² Pages 2 through 4 of the brief outline five reasons to make a market adjustment to the recent sale. In summary, an adjustment to account "for the premium being paid for recently sold condominium units" (Exhibit B – buyers pay more for already remodeled dwellings); regardless of level of remodeling, most condos are in "ready to sell" condition, thus applying an adjustment would more accurately reflect 'average' quality/condition; residential condo sales include purchasing membership in the association within the purchase price providing various common elements of services in addition to the real estate itself therefore an adjustment accounts for the premium paid for non-assessable services in condo ownership; condo sales occur over a period of years, so sales must be discounted for time to hypothetically achieve 100% sellout; and assessing officials typically account for items of personal property in the sale price, but additional personal property owned by the association (such as equipment of the fitness center; janitorial equipment; office equipment/supplies) also warrants an adjustment for this non-assessable property.

In support of its contention of the correct assessment, the board of review submitted a document entitled Condominium Analysis Results for 2021 in which four of the same five sales submitted by the appellant were used along with presentation of the respective ownership interests in each of the 29 units. The board of review reported the four units that sold had a combined ownership interest of 10.45% and sold from May 2019 to October 2021 for a total consideration of \$8,595,109. Applying the ownership interest in the common elements of the building, the board of review arrived at a total consideration for the 29 condominium units of \$82,249,846. Applying the 10% Ordinance level of assessment for class 2-99 property results in a total combined assessment for the 29 units under appeal of \$8,224,985, which falls above the current total combined assessment of the 29 parcels of \$7,741,500. Based on this evidence, the board of review requested the subject's assessment be confirmed.

The Board finds the total consideration of the board of review's four condominium sales of \$8,595,109 differs from the total combined sale price of these units as reported in the Cook County Clerk's Office printouts which totals \$8,764,500, including a total of nine parking spaces. Subtracting the board of review's "selected sale" prices from the total sale price found in the Clerk's office documents indicates a difference of \$169,391.

Conclusion of Law

Although improperly pled as a contention of law, the appellant actually 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter, the Board gives no weight to the appellant's 15% market adjustment applied to the sales presented by the appellant. The Board finds it problematic the appellant's counsel reportedly developed or surmised a "market adjustment" rather than relying on an expert in the field of real estate valuation. The Board finds that an attorney cannot act as both an advocate for a client and also provide unbiased, objective opinion evidence of value for that client's property.

The Board gives little weight to the estimated market value as indicated in the appellant's sales analysis due to the inaccurate accounting for a portion of the sale price of appellant sale #2 as well as the double counting of parking spaces associated with this sale. As to the application of a 9% *de facto* level of assessment to the total consideration of the adjusted sales price in the analysis, as the appellant failed to establish any substantive evidence to apply anything other than the level of assessment set forth in the Cook County Real Property Assessment Classification Ordinance for class 2-99 property of 10%. Furthermore, the appellant's submission concerned the 2020 median level of assessment in Cook County; this appeal concerns tax year 2021.

The Board finds both parties submitted "sale prices" for their comparable properties that were discounted. For the appellant, the difference between the actual sale price and the sale price used to determine the overall market value for the 29 units was the market value of the parking spaces

sold with each unit, as reported by the assessor. The board of review did not provide any explanation as to why the sale prices used to calculate the building's market value differed from the actual sale prices reported by the Cook County Clerk's Office. The Board finds the only documentation of the market value for parking spaces in the record to be the market values based on assessment of \$17,130 per space as submitted by the appellant, and not refuted by the board of review. On this record, the Board finds the sale price of the condominium units less the market value of parking spaces, is appropriate in determining the market value of the subject's condominium building.

The record contains five total sales of condominium units located in the subject's building, where four comparables were common to both parties. The Board gives little weight to the appellant's sale #2 which sold in 2018, less proximate in time to the January 1, 2021 assessment date than other properties in the record.

The Board finds the best evidence of market value to be the parties' four common comparables which have a total ownership interest of 10.45%. These four sales had a total consideration of \$8,764,500, including nine parking spaces. Subtracting the combined value of the nine parking spaces, or \$154,170, from the total consideration provides an adjusted consideration for the condominium units, excluding parking spaces, of \$8,610,330. Dividing the adjusted consideration of the four sales by the ownership interest in the four units, or 10.45%, provides a full market value of the 29 condominium units of \$82,395,502 which is greater than the market value of the 29 units as reflected by the 2021 assessments of \$77,415,000. Therefore, on this record, the Property Tax Appeal Board finds the appellant did not establish by a preponderance of the evidence that the subject condominium building is overvalued, and no reduction in the assessments of the 29 units is warranted.

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: _____

April 15, 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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