



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

APPELLANT: David Lottich
DOCKET NO.: 22-23035.001-R-1
PARCEL NO.: 05-21-115-014-1005

The parties of record before the Property Tax Appeal Board are David Lottich, the appellant, by attorney Abby L. Strauss, of Schiller Law 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:

LAND: \$1,939
IMPR.: \$14,561
TOTAL: \$16,500

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 2022 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 12.0000% ownership interest in the common elements of the 68-year-old 2-story condominium property with six residential units and one retail unit.¹ The subject is a 1-story unit with 840 square feet of living area that features 1-bedroom, 1-bathroom and a terrace. The project includes six parking spaces. The condominium property has 4,896 square feet of land area and is located in Winnetka, New Trier 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 \$165,000

¹ The Board finds the best description of the subject's condominium project was found in the appraisal which describes the project as having six residential units and one retail space.

as of December 1, 2021. The appraisal was prepared by Jeffrey J. Plancon, a Certified Residential Real Estate Appraiser. The intended use of the appraisal was in support of a refinance transaction for lender/client BMO Harris Bank.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting four closed sales and one active listing located from 0.69 of a mile to 1.22 miles from the subject property. The comparables are improved with condominium units of Q3 quality construction ranging in size from 700 to 1,100 square feet of living area. The units are from 41 to 101 years old. Each comparable has 1 or 2-bedrooms and 1 or 2-bathrooms. One comparable has central air conditioning and two comparables have either a carport space or a 2-car garage. Four comparables sold from January to August 2021 for prices ranging from \$149,000 to \$197,500 or from \$172.73 to \$235.71 per square foot of living area, land included. Comparable #5 has a list price of \$169,900 or \$199.88 per square foot of living area, land included.

After adjusting comparable #5 for date of sale/time, the appraiser adjusted the comparables for differences with the subject in view, condition, room count, dwelling size and other features arriving at adjusted sale prices for the comparables ranging from \$151,500 to \$177,000 and an opinion of market value for the subject of \$165,000.

Page two of the appraiser's addendum included comments stating: "It should be noted that the appraiser considered numerous sales within the defined neighborhood. The appraiser noted sales in various states of condition varying from dated interiors and/or significant renovations. In comparable selection the appraiser made a concentrated effort to locate and select homes similar in terms of physical characteristics and condition." The appraiser further stated the condition of comparables was based on available Multiple Listing Service (MLS) photographs and from exterior inspection.

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 \$20,999. The subject's assessment reflects a market value of \$209,990 or \$249.99 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 Lilybeth Kafka, an analyst with the Cook County Board of Review. The analyst provided sales data on one comparable sale of a residential unit in the subject's condominium property. The sale occurred in October 2021 for a total consideration of \$263,813. The total consideration was divided by the percentage of interest of ownership in the condominium property that sold of 12.0000% to arrive at an indicated full value for the property of \$2,198,442.

The analyst then applied a percentage of interest of 48.0000%² to arrive at a full value of \$1,055,251 and an assessment of \$105,525, 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.

In written rebuttal, the appellant's attorney asserted the board of review did not comply with section 1910.65(c) of the rules of the Property Tax Appeal Board requiring "not fewer than three recent sales of suggested comparable properties" and that the only credible evidence of market value is the appraisal submitted by the appellant.

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 appraiser selected a total of five comparable properties which were overall similar in condition to the subject property. The Board gives less weight to the condominium analysis submitted by the board of review, which is based on a single comparable sale with no information regarding condition relative to the subject. Furthermore, the board of review failed to utilize the subject's ownership percentage in its calculation of the assessed value for the subject based on the sale of this single property.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The subject's 2022 total assessment of \$20,999 reflects a market value of \$209,990 which falls above the best evidence of market value in the record. The Board finds the subject property had a market value of \$165,000 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% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

² The board of review's condominium analysis appears to apply the ownership interest in four of the project's units or 48.0000% whereas the property under appeal has an ownership percentage of 12.0000%.

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 20, 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

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