



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

APPELLANT: Sustainabuild, LLC
DOCKET NO.: 22-39782.001-R-1 through 22-39782.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Sustainabuild, LLC, the appellant(s), by attorney Daniel J. Farley, of the Law Offices of Terrence Kennedy Jr. 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
22-39782.001-R-1	17-20-404-017-0000	8,352	139,389	\$147,741
22-39782.002-R-1	17-20-404-018-0000	8,352	139,389	\$147,741

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 property consists of two parcels, improved with a one-year-old condominium with five individual units. The property has a 2,784 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as class 2-97 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based, in part, on a contention of law and in part comparable sales. In support of the market value argument the appellant submitted information disclosing that the property was purchased by the appellant in August 2021 to be redeveloped. The appellant indicates that during the 2022 lien year, the newly constructed condominium consisted of five individual units. The appellant indicates two of the units sold between November 2022 and February 2023 for prices of \$449,000 and \$621,000 or \$62.72 and \$86.74 per square foot of living area, including land. The appellant indicated that one unit was pending a sale for \$621,000

or \$62.74 per square foot of living area, including land and two units were being listed for sale. The appellant has submitted five MLS listing sheets for the five units. In support of appellant's contention of law, appellant submitted a written argument that as of October 2023 two of the five units had been sold and one of the five units was pending sale. The appellant argued that the remaining two units were actively listed but had not been sold as of October 2023 and that a partial occupancy factor should be applied for the 2022 lien year to reflect that fact that these two units had not been sold. The appellant requested a 35% vacancy credit be applied to the improvement assessment to reflect the two units that had not been sold in 2022. Based on this vacancy credit, the appellant requested a total assessment for the property of \$203,446.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$295,482 which reflects a market value of \$2,954,820 using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. The board of review submitted no additional evidence.

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 appellant raises a contention of law claiming that the property should be given vacancy relief for two units that were unsold during the lien year. The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

First, there is no authority in the Illinois Tax Code or Administrative Code to allow the Board to provide a reduction to the assessment based on occupancy. The fact that a property is unsold during a lien year does not justify a reduction in the subject's assessment.

When the new construction of a property is at issue, Section 9-180 of the Property Tax Code is applicable, which states, in relevant part:

The owner of property on January 1 also shall be liable, on a proportionate basis, for the increased taxes occasioned by the construction of new or added buildings, structures or other improvements on the property from the date when the occupancy permit was issued or from the date the new or added improvement was inhabitable and fit for occupancy or for intended customary use to December of that year.

35 ILCS 200/9-180.

The Board finds the appellant has failed to introduce sufficient evidence to support a reduction in assessment based on Section 9-180. The record is silent on the condition of the building during the 2022 lien year, the time frame that it was fully constructed and the time the property became inhabitable. The Board finds that the fact the subject was advertised for sale in 2022 and that two

units sold in 2022 shows that the subject was substantially complete during the lien year in question. In *Long Grove Manor*, the court found that an assessment to the extent that the improvement adds value can be applied when the improvement is substantially complete. *Long Grove Manor v. Property Tax Appeal Board*, 301 Ill.App.3d 654, 235 Ill.Dec. 299, 704 N.E.2d 872 (1998). Based on this evidence the Board finds a reduction in the subject's assessment is not 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: _____

October 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 9-215 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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