



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

APPELLANT: Marianne S. Berger Trust  
DOCKET NO.: 22-43044.001-R-2  
PARCEL NO.: 14-28-319-112-1080

The parties of record before the Property Tax Appeal Board are Marianne S. Berger Trust, the appellant, by attorney Douglas LaSota, of O'Keefe, Lyons & Hynes, LLC 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:** \$43,268  
**IMPR.:** \$806,732  
**TOTAL:** \$850,000

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 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 2.5073% ownership interest in the common elements of the condominium property that includes 219 residential units. The subject unit occupies the entire 37<sup>th</sup> floor of the condominium building. The lake view unit has 9,192 square feet of living area, central air conditioning, one fireplace, four garage spaces, two decks and two terraces. The condominium property has 143,808 square feet of land area and is located in Chicago, Lake View 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 \$8,500,000 as of January 1, 2021. The appraisal was prepared by Christopher R. Glenday, a

Certified Residential Real Estate Appraiser. The intended use of the appraisal report was for a real estate assessment appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located within 2.33 miles from the subject property. The comparables have varying degrees of similarity to the subject in location, age, dwelling size and other amenities and sold from October 2019 to January 2021 for prices ranging from \$8,200,000 to \$9,000,000 or from \$900.00 to \$1,346.15 per square foot of living area, land included. The appraiser adjusted the comparables for differences with the subject arriving at adjusted sale prices for the comparables ranging from \$8,330,163 to \$8,939,787 and an opinion of market value for the subject of \$8,500,000. 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 appellant disclosed the subject property is an owner-occupied residence. The Board takes judicial notice 2021 was the first year of the general assessment cycle in Lake View Township and that the subject property was the subject matter of an appeal before this Board the prior year under Docket No. 21-39020.001-R-2 in which the Board issued a decision lowering the subject's assessment to \$850,000 based on evidence presented by the parties.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$1,012,649. The subject's assessment reflects a market value of \$10,126,490 or \$1,101.66 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%. The board of review disclosed no township equalization factor was applied for the 2022 tax year.

In support of its contention of the correct assessment the board of review submitted a sales analysis prepared by Dana Pointer, an analyst with the Cook County Board of Review. The analyst provided sales data on 67 comparable sales of residential units in the subject's condominium property. The sales occurred from March 2019 to November 2022 for prices ranging from \$477,425 to \$5,666,267. The analyst reported a total consideration for these sales of \$124,069,745. The total consideration was divided by the percentage of interest of ownership in the condominium property for the units that sold of 27.2827% to arrive at an indicated full value for the property of \$454,756,109 and a total assessment of \$45,475,611.<sup>1</sup> Based on this analysis the board of review requested the subject's assessment be confirmed.

### **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

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<sup>1</sup> Given the board of review's estimated full consideration for the property of \$454,756,109 and the subject's ownership interest of 2.5073%, the unit under appeal would equate to a market value of \$11,402,100 and a total assessment of \$1,140,210.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), a reduction in the subject's assessment is warranted. Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Property Tax Appeal Board also finds the subject property was the matter of appeals before this Board for the prior tax year under Docket No. 21-39020.001-R-2, wherein the Board lowered the subject's total assessment to \$850,000. The record further disclosed the subject property is an owner-occupied residence and that the 2021 and 2022 tax years are within the same general assessment period. The Board takes notice that no equalization factor was issued in Lake View Township for the 2022 tax year. Furthermore, the record contains no evidence the Board's prior 2021 decision has not yet been reversed or modified upon review and there was no evidence the subject property sold in an arm's length transaction establishing a different fair cash value. Therefore, the Board finds a reduction in the subject's assessment, pursuant to section 16-185 of the Property Tax Code, is warranted. (35 ILCS 200/16-185)

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:

May 20, 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

AGENCY

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Marianne S. Berger Trust, by attorney:  
Douglas LaSota  
O'Keefe, Lyons & Hynes, LLC  
30 North LaSalle Street  
Suite 4100  
Chicago, IL 60602

COUNTY

Cook County Board of Review  
County Building, Room 601  
118 North Clark Street  
Chicago, IL 60602