

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Hoo Nam Yoon
DOCKET NO.: 04-27788.001-R-1
PARCEL NO.: 06-20-208-018-1018

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Hoo Nam Yoon, the appellant, and the Cook County Board of Review.

The subject property consists of a condominium unit in a multi-building condominium complex. The appellant argued that there was unequal treatment in the assessment process of the land and the improvement as the basis of the appeal.

In support of this argument, the appellant submitted assessment data and limited descriptions of the subject property and five suggested comparable condominium units. Black and white photographs of the subject property and these suggested comparables were also included as well as a copy of the first and second amendments to the condominium declaration and a list of the percentage of ownership allocated to the condominium units. The data of the five suggested comparable units reflects that these properties are located within the subject's condominium complex and are the same model as the subject. The suggested comparables all have a percentage of ownership allocation of .30839% and have an improvement assessment of \$10,817. Based on

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Based on the facts and exhibits presented, 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:	\$ 4,591
IMPR.:	\$ 10,817
TOTAL:	\$ 15,408

Subject only to the State multiplier as applicable.

Final administrative decisions of the Property Tax Appeal Board are 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.

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this analysis, the appellant requested a reduction in the improvement's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$12,386 and the total assessment was \$18,102. The subject's assessment reflects a market value of \$113,138 using the level of assessment of 16% for Class 2 property as contained in the Cook County Real Property Assessment Classification Ordinance. The board also submitted a portion of the property characteristic printout for the subject property and a list of properties within the subject's condominium complex with the sale date and purchase price. The list of sales has hand written notes on it. In addition the board of review submitted a memorandum from Elizabeth Shine, an analyst with the board of review. This memorandum shows that 19 sales were reviewed to arrive at a sale price of \$3,513,950 and that \$47,500 was subtracted for personal property. The adjusted sale price for all 19 properties was \$3,466,450 which is noted to be 5.33% of the total units sold in the complex. Based on this percentage, Ms. Shine arrived at a value for the entire condominium complex of \$65,034,145. The memorandum then notes that the value of the subject under appeal is \$249,705 or 13.87% of the building. As a result of its analysis, the board requested confirmation of the subject's assessment.

At hearing, the appellant, Ms. Hoo Nam Yoon-Patzmann, testified the suggested comparables are all the exact model as the subject with the same square feet of living area and the same percentage of ownership, however, they are assessed less than the subject.

In response to questions Ms. Yoon-Patzmann testified she purchased the property in September 2003 for \$165,000 and sold the property in June 2005 for \$194,000. Ms. Yoon-Patzmann stated the subject is a townhouse structure, but the ownership is as a condominium ownership. She testified there were approximately 300 units in the complex.

Ms. Yoon-Patzmann testified that the subject property and the suggested comparables are all "Ashfield" model townhouses within the complex. She stated that these properties all have a percentage of ownership of .3084% as listed by the condominium association. Ms. Yoon-Patzmann testified that one of the documents presented in her case is a list of the percentage of ownership for all the units within her condominium complex and that this document was given to her by the Hanover Township Assessor's Office.

Ms. Yoon-Patzmann testified that she discovered in 2004 that there was an error in the subject's property identification number. Ms. Yoon-Patzmann presented a Certificate of Error for the year 2004, but this document did not change the value or

indicate what the error was and, therefore, was not submitted into evidence. Ms. Yoon-Patzmann argued that when the PIN was corrected for the subject property an incorrect percentage of ownership was placed on the subject property based on a different fieldstone condominium complex.

The board of review's representative, Matt Panush, testified that the board of review reviewed sales of units within the subject's complex, subtracted personal property from the sale price, divided the adjusted sale prices by the percentage of ownership for those properties to arrive at a value for the whole condominium complex. He testified the board of review uses the market value of the whole complex to arrive at an assessed value for a condominium unit based on the percentage of ownership. Mr. Panush argued that the percentage of ownership for the subject is .38396% based on what the Cook County Assessor's Office. Mr. Panush testified that the board of review is unable to correct the percentage of ownership, but this must be presented to the Cook County Assessor's Office.

After considering the testimony and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill. 2d 1, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. Property Tax Appeal Board Rule 1910.65(b). Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented, the PTAB concludes that the appellant has met this burden and that a reduction is warranted.

The PTAB finds that the appellant submitted evidence to show that the percentage of ownership for the subject property is .3084%. The appellant testified that all the suggested comparables are the same model as the subject and contain the exact square footage and percentage of ownership allocation. The documentation and testimony submitted establishes that the township assessor retains the percentage of ownership for all the properties within the subject's complex. The suggested comparables, which are the same model as the subject, all have a percentage of ownership of .3084%; this is also what is listed on the property characteristic printouts for these properties. In

addition, the PTAB finds credible the appellant's testimony that the subject's PIN was incorrect and that when the assessor's office corrected this error, the office incorrectly listed the percentage of ownership. Therefore, the PTAB finds that the correct percentage of ownership should be applied to the subject property and it should be assessed equitably with the suggested comparables that are the same model, contain the same square feet of living area, and are assessed less than the subject property. As a result of this analysis, the PTAB further finds that the appellant has adequately demonstrated that the subject was inequitably assessed by clear and convincing evidence and that a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board are 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.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

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: September 28, 2007



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 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 the subsequent year 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.

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.