



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

APPELLANT: Richard Cooper
DOCKET NO.: 05-23908.001-C-1
PARCEL NO.: 17-17-200-024-1001

The parties of record before the Property Tax Appeal Board are Richard Cooper, the appellant(s), by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. of Bartlett; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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:

LAND: \$ 2,938
IMPR.: \$ 78,288
TOTAL: \$ 81,226

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a five-year-old, class 5-99, 1,425 square foot, ground floor commercial condominium unit in a five-story, mixed-use condominium development. The subject site contains 17,280 square feet of land area for the entire development and the subject unit is located at 1111 West Madison Street, Suite 1, Chicago, Cook County, Illinois.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this argument, the appellant submitted a two-page brief as well as Cook County Assessor's Office: Property Search Results lists for over sixty suggested comparable properties located within two blocks of the subject. Approximately fifty of the comparables are located within the subject's condominium development. The suggested comparables

consist of mixed-use residential or commercial/office condominium type properties. The property index numbers (PIN), addresses, class codes, neighborhood codes and assessment data for these properties were provided with no descriptive data. Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$81,226, which reflects a market value of \$213,752 or \$150.00 per square foot of building area, utilizing the Cook County Real Property Assessment Classification Ordinance level of assessment of 38% for Class 5a property, such as the subject. As evidence, the board of review submitted five sales with an unadjusted range of from \$120.00 to \$600.00 per square foot of building area, including land. No analysis or adjustment of the sales data was provided by the board.

The board's evidence disclosed that CoStar services reported a condo located at 1111 West Madison Street, Unit C1, sold for \$290,000 on October 29, 2002. The board's evidence indicated that the PIN'S reported by CoStar were voided numbers and replaced by the condominium PIN'S currently in use based on a 2002 division. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers 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 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has failed to overcome this burden.

The appellant provided evidence arguing unequal treatment in the assessment process of the improvement as the basis of the appeal. The appellant submitted assessment data and limited descriptive data for over sixty comparable properties located within two blocks of the subject. Approximately fifty of the comparables are located within the subject's condominium development. The suggested comparables consist of mixed-use residential or commercial/office condominium type properties. The property index numbers (PIN), addresses, class codes, neighborhood codes, and assessment data for these properties were provided. However, the Board finds that the appellant's descriptive information with regard to the comparables is inadequate to determine their similarity or dissimilarity when compared to the subject.

Specifically, Section 1910.65(b) of the rules of the Property Tax Appeal Board (86 Ill.Adm.Code §1910.65(b)) requires documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject. The appellant failed to provide the percentage of ownership, size of building area as well as features and distinctive amenities of the subject unit and the individual units associated with the comparable properties. The Board finds that without this information, it is unable to make an in depth analysis of the appellant's comparables and make a comparability finding. In addition, the majority of the suggested comparables provided by the appellant, unlike the subject, are class 2-99 residential condominiums. Moreover, the Board accords the board of review's evidence little weight in that it does not address the appellant's lack of uniformity argument.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject improvement was inequitably assessed by clear and convincing evidence and a reduction is not 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank J. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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: April 23, 2010

Allen Castrovillari

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.