

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Teresa Micko
DOCKET NO.: 06-22731.001-R-1
PARCEL NO.: 12-25-313-023-1006

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

The subject property consists of a condominium unit located in a 43-year old, masonry building. The unit contains 915 square feet of living area and one bath. Percentage of Ownership evidence was not provided. The appellant raised two arguments: first, that there was unequal treatment in the assessment process of the improvement; and second, that the fair market value of the subject is not accurately reflected in its assessed value as the bases for this appeal.

In support of these arguments, the appellant offered a spreadsheet describing the subject and four suggested comparable condominium units located within the subject's neighborhood. The appellant's documents indicate that these properties are condominium units located in buildings of the same construction type and age as the subject. The appellant also suggested the proposed comparables have amenities better than the subject, such balcony, central air-conditioning, laundry and new windows. The appellant provided the 2005 assessment information for these properties as well as multiple listing service printouts indicating their sale offers. The properties had 2005 assessments from \$12,057 to \$13,372 and offerings for sale from \$178,900 to \$199,000. Square footage and percentage of ownership for these

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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: \$ 1,294
IMPR.: \$16,105
TOTAL: \$17,399

Subject only to the State multiplier as applicable.

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properties was not included. The appellant did submit tax information from the county treasurer for these properties. In addition, the appellant included information that the subject property sold in September 2004 for \$174,000. Photographs of the subject and the comparables along with a copy of the 2006 board of review final decision were also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$17,399 was disclosed. Of this amount \$16,105 is allocated to the improvement and \$1,294 is allocated to the land. This assessment reflects a market value of \$171,927 using the Department of Revenue's three year median level of assessment for 2006 of 10.12% for Class 2 property. The board also submitted a memo from Matt Panush, Cook County Board of Review Analyst. The memorandum shows that eight units, or 100% of ownership, within the subject's building sold between 2003 and 2006 for a total of \$1,234,500. An allocation of \$2,000 per unit was subtracted from the sale price for personal property to arrive at a total market value for the building of \$1,218,500. The subject's percentage of ownership was then utilized to arrive at a value for the subject unit of \$187,500. As a result of its analysis, the board 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 first 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 PTAB finds the appellant has failed to overcome this burden.

In previous decisions, this Board has recognized it is the practice in Cook County when assessing condominiums to utilize the percentage of ownership, as contained in the condominium declaration, as the factor to pro-rate assessments to individual unit owners. In the instant cause, the board of review presented evidence to establish that the subject property was assessed in accordance with its percentage of ownership.

As to the market value argument, when overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. Property Tax Appeal Board Rule 1910.63(e). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property,

recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

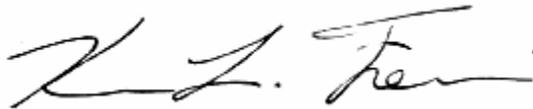
The appellant presented evidence of an arm's length sale of the subject property in September 2004 for \$174,000. The PTAB finds that the subject property is currently assessed at its sale price when the Department of Revenue's three year median level of assessment is applied.

As a result of these analyses, the PTAB finds the appellant failed to adequately demonstrate that the subject dwelling was inequitably assessed by clear and convincing evidence or over assessed by a preponderance of the evidence and no reduction is 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.



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: October 31, 2008



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.