



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

APPELLANT: Sarah Reed
DOCKET NO.: 06-31370.001-R-3
PARCEL NO.: 14-33-421-042-0000

The parties of record before the Property Tax Appeal Board are Sarah Reed, the appellant, by attorney Howard W. Melton of Howard W. Melton and Associates, in Chicago; and the Cook County Board of Review.

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: \$325,704
IMPR: \$314,296
TOTAL: \$640,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 16-story, 125 unit cooperative residential apartment building of masonry construction containing 111,500 square feet of gross building area. The building was built in 1972. The subject is classified as a class 2-13 cooperative residential property under the Cook County Real Property Assessment Classification Ordinance and is situated on a 54,284 square feet parcel located in North Chicago Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property prepared by a state licensed appraiser. The appraiser developed two of the traditionally accepted approaches to value in estimating fair market value for the subject property of \$4,000,000 as of January 1, 2006. Under the cost approach, the appraiser concluded a value of \$4,050,000. Under the sales comparison approach, the appraiser concluded a value of \$4,000,000.

Under the sales comparison approach, the appraiser utilized eight suggested comparable sales. The comparables have lot sizes ranging from 6,499 to 242,968 square feet of land area. The comparables consist of multi-story apartment buildings of masonry construction that contain between 26,064 to 109,242 square feet of building area. The number of apartment units for the comparables range from 66 to 331 units and were built from 1917 to 1981. The comparables sold from March 2003 to June 2006 for prices ranging from \$1,774,000 to \$11,718,000 or from \$24,986 to \$45,000 per apartment unit including land. The appraiser made a 10% adjustment to the comparables' sale prices for ownership rights due to the comparables status as apartments and not cooperative apartments. Other adjustments were made for sale dates, zoning, condition, size, and location. In reconciliation, the appraiser concluded a market value of \$4,000,000 for the subject property as of January 1, 2006. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$1,440,000 was disclosed. The subject's assessment reflects an estimated market value of \$14,229,249 or \$113,834 per apartment unit including land using Cook County's 2006 three-year median level of assessments of 10.12%.

The board of review submitted a one page brief arguing that there were no recent cooperative apartment sales within the subject building, which would be the most appropriate way to determine the market value for the subject. Additionally, the board of review submitted a 10 page opinion dated October 20, 2006. In that decision, the board of review found that substituting sales of any other type of residential property in order to determine cooperative values would be invalid, hypothetical or speculative.

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 Property Tax Appeal Board further finds a reduction in the subject property's assessment is warranted.

The appellant argued the subject property was overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant has met this burden of proof.

The appellant submitted an appraisal of the subject property prepared by a state licensed appraiser conveying an estimated market value of \$4,000,000 as of January 1, 2006 using the cost approach and the sales comparison approaches to value. The board

of review submitted a brief and an opinion arguing that the most appropriate way to determine the market value for the subject building is to analyze recent cooperative apartment sales within the subject building and that substituting sales of any other type of residential property in order to determine cooperative values would be invalid, hypothetical or speculative. However, the board of review did not submit any market evidence to support its assessed valuation of the subject property as provided by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code §1910.40(a)).

The Property Tax Appeal Board finds the best and only market value evidence contained in this record in determining the subject's market value is the appraisal estimating a fair market value of \$4,000,000 submitted by the appellant. The subject's assessment reflects an estimated market value of \$14,229,249 which is substantially higher than the appellant's appraisal. Therefore, the Property Tax Appeal Board finds a reduction in the subject's total assessment commensurate with the appellant's request is 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.

Donald R. Cuit

Chairman

[Signature]

Member

[Signature]

Member

[Signature]

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: March 23, 2012

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.