



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

APPELLANT: Randall Machelski
DOCKET NO.: 06-31762.001-R-1
PARCEL NO.: 17-09-410-014-1356

The parties of record before the Property Tax Appeal Board are Randall Machelski, the appellant(s); 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: \$ 2,375
IMPR.: \$ 18,337
TOTAL: \$ 20,712

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a condominium unit with a .1270% ownership in the condominium building. The appellant argued that the fair market value of the subject was not accurately reflected in its assessed value.

In support of this argument, the appellant submitted information and data on a total of three properties suggested as comparable and located within the subject's building. These three units sold from May 2006 to September 2006 for prices ranging from \$165,000 to \$177,000. The appellant indicates these sales are for "unimproved comparables" without further explanation. 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 total assessment of \$20,712 was disclosed. This assessment yields a market value of \$204,664 when using the 2006 Department of Revenue three year median level of assessment for Cook County residential property of 10.12%. In

support of the subject's assessment, the board of review also submitted a memo from Matt Panush, Cook County Board of Review Analyst. The memorandum shows that 123 units or 14.4560% of ownership within the subject's building sold between 2002 and 2006 for a total of \$26,341,350,000. An allocation of 3% per unit was subtracted from the sale price for personal property to arrive at a total market value for the building of \$176,751,508. The subject's percentage of ownership, .1270%, was then utilized to arrive at a value for the subject unit of \$224,474. The board also submitted several grids listing for each unit in the building: the property identification number; the percentage of ownership; the assessment; the increase in the assessment; and sales dates and prices of units that sold between 2002 and 2005. 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 Board further finds a reduction in the subject's assessment is not warranted.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331Ill.App.3d 1038 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). 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. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the evidence indicates a reduction is not warranted.

In reviewing the evidence, the PTAB finds the best comparables are the sale of units with the same or very similar percentages of ownership that sold closest to the lien date in question. Of all the sales information submitted by the parties, the PTAB finds four sales that range in percentage of ownership from .1270% to .1290%. These properties sold from February 2005 to September 2006 for prices ranging from \$165,000 to \$261,250. The PTAB finds that the subject's current assessment reflects a market value within the range of these comparables 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

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerbis

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: February 18, 2011

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.