



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

APPELLANT: Leonard Antal
DOCKET NO.: 07-20479.001-R-2 through 07-20479.008-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board (PTAB) are Leonard Antal, the appellant, by attorney Lisa A. Marino, of Marino & Assoc., PC in Chicago; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
07-20479.001-R-2	16-17-131-026-1001	478	11,921	\$12,399
07-20479.002-R-2	16-17-131-026-1002	918	22,875	\$23,793
07-20479.003-R-2	16-17-131-026-1003	918	22,875	\$23,793
07-20479.004-R-2	16-17-131-026-1004	918	22,875	\$23,793
07-20479.005-R-2	16-17-131-026-1005	478	11,921	\$12,399
07-20479.006-R-2	16-17-131-026-1006	918	22,875	\$23,793
07-20479.007-R-2	16-17-131-026-1007	918	22,875	\$23,793
07-20479.008-R-2	16-17-131-026-1008	918	22,875	\$23,793

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an eight-unit residential condominium building situated on a 6,150 square foot parcel located in Oak Park Township, Cook County.

The appellant, through counsel, appeared before the PTAB arguing overvaluation based on the recent sale of two of the subject's eight units. In support of this claim, the appellant's evidence disclosed that the total purchase price for the two units sold to be \$389,000. The two sales occurred in December 2005 and May 2007 for \$124,000 and \$265,000 respectively. Next, the appellant deducted a personal property allocation of \$38,900 or 10%, reflecting an adjusted sales price for the real estate of

\$350,100. The appellant then adjusted the sales price by applying the total of the percentages of ownership of the two units sold, or 22.30%, to conclude a total market value for the subject building of \$1,569,955.

In addition, the appellant's attorney argued that as a result of the condominium conversion, the subject building was mostly vacant in 2007. The appellant's attorney also argued that one unit sold in late 1996, a second unit was rented for all of 2007 and a third unit sold in April 2007. The appellant's attorney further argued that the remaining five units were vacant for 2007 and therefore, the subject improvement was entitled to an occupancy factor of 37.5%. In support of this claim, the appellant provided warranty deeds for the two above sales. Also, the appellant submitted a one-page letter from Padove Appraisal Service disclosing that due to the subject's poor and uninhabitable condition, the subject units have limited to no marketability. 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" disclosing the subject's total combined final assessment of \$167,556. The assessment reflects a total market value of \$1,668,884 for the subject, when the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property, such as the subject, is applied. The board of review also submitted a memorandum from Matt Panush, Cook County Board of Review Analyst. The board's memorandum disclosed that the appellant's attorney claims "the subject improvement has been vacant since the 2005 conversion." In addition, the board's memo indicates that the one-page letter from the Padove Appraisal Service states the subject units are in poor and uninhabitable condition, however, an occupancy affidavit signed by the owner and presented to the board of review states all eight units were occupied during November and December of 2006. Finally, the board's representative stated that the assessor's office granted the subject relief based on occupancy in 2006. 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 contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.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 arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Ad.Code §1910.65(c)) Having considered

the evidence presented, the Board finds the appellant has not satisfied this burden and a reduction is not warranted.

The PTAB was provided with two sales in the appellant's market analysis. The PTAB finds the appellant used a 10% personal property allocation in its analysis. The PTAB further finds there was no evidence in the record to support the appellant's use of the 10% personal property deduction. In fact, the board's representative argued that the board of review allocates a personal property deduction of between 1% and 2% for residential condominium properties. Therefore, the Board finds the appellant's market value argument is without merit.

The appellant argued overvaluation in that the subject's assessment is incorrect due to vacancy. The PTAB finds this argument unpersuasive. The PTAB further finds no evidence in the record that the subject's assessment is incorrect when vacancy is considered. The mere assertion that vacancies in a property exist does not constitute proof that the assessment is incorrect or that the fair market value of the property is negatively impacted.

Based on the evidence submitted, the PTAB finds the subject's assessment as established by the board of review is correct. Therefore, the PTAB finds that a reduction in the subject's assessment 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 A. 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: July 22, 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.