



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

APPELLANT: Casa Elegante Condominiums
DOCKET NO.: 07-22257.001-R-1 through 07-22257.009-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Casa Elegante Condominiums, the appellant, by attorney Patrick J. Cullerton, of Thompson Coburn LLP 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
07-22257.001-R-1	11-30-123-031-1001	1,831	27,633	\$ 29,464
07-22257.002-R-1	11-30-123-031-1002	1,831	27,633	\$ 29,464
07-22257.003-R-1	11-30-123-031-1003	1,890	28,511	\$ 30,401
07-22257.004-R-1	11-30-123-031-1004	624	9,416	\$ 10,040
07-22257.005-R-1	11-30-123-031-1005	1,831	27,156	\$ 28,987
07-22257.006-R-1	11-30-123-031-1006	1,831	27,633	\$ 29,464
07-22257.007-R-1	11-30-123-031-1007	1,890	28,511	\$ 30,401
07-22257.008-R-1	11-30-123-031-1008	769	11,610	\$ 12,379
07-22257.009-R-1	11-30-123-031-1009	698	10,537	\$ 11,235

Subject only to the State multiplier as applicable.

ANALYSIS

The subject is improved with a 72 year old, residential condominium property which contains nine residential condominiums units located in Evanston Township. The subject's assessment is \$214,373. The appellant, via counsel, argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant stated that five of the units have sold from February 2002 to November 2006 for prices ranging \$133,000 to \$271,000. The appellant provided copies of settlement statements for the 2002, 2003, and 2005 sales, and a copy of the PTAX-203 and the real estate transfer tax declaration form for the 2006 sale. No evidence was provided for parcel 11-30-123-031-1004, which is the 2004 sale.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's total assessment of \$214,373 was disclosed. 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 three units, or 24.879% of ownership, within the subject's building sold between November 2004 and November 2006 for a total of \$539,000. An allocation of two percent per unit for personal property was subtracted from the aggregate sales price then divided by the percentage of interest of units sold to arrive at a total market value for the building of \$2,123,160. The board also submitted a grid listing for each unit in the building: the property identification number; the percentage of ownership; the assessment; and sales dates and prices of units that sold from November 2004 to November 2006. 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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 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. Calumet Transfer, LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

In this appeal, the appellant and the board of review provided the Board with recent sales. One of the appellant's sales occurred in 2002 and another in 2003 which are too far removed from the January 1, 2007 assessment date. Accordingly, the Board reviewed the remaining three sales provided by the appellant and the board of review. The Board finds that the appellant used a \$5,000 personal property allocation in its analysis. The Board further finds that there was no evidence in the record to support the appellant's use of a \$5,000 personal property deduction. In fact, the settlement statements provided by the appellant indicate no adjustment for personal property was made. Therefore, the Board finds the appellant's market value argument is without merit as the sales analysis provided by the appellant, absent a

personal property allocation, supports the subject's current assessment.

Based on the evidence submitted, the Board finds that the subject's assessment established by the board of review is correct. Therefore, the Board 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

J. R.

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 18, 2013

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.