FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: 1901 N Cleveland Condominium Assn.
DOCKET NO.: 07-28769.001-R-2 through 07-28769.005-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1901 N Cleveland Condominium Assn., the appellant, by attorney Steven B. Pearlman, of Steven B. Pearlman & Associates 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
07-28769.001-R-2	14-33-306-050-1001	7,517	79,490	$87,007
07-28769.002-R-2	14-33-306-050-1002	7,517	79,490	$87,007
07-28769.003-R-2	14-33-306-050-1003	5,290	55,940	$61,230
07-28769.004-R-2	14-33-306-050-1004	4,454	47,105	$51,559
07-28769.005-R-2	14-33-306-050-1005	4,454	47,105	$51,559

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 27-year-old, five unit, three-story, residential condominium building of masonry construction sited on a 5,166 square foot parcel located in North Township, Cook County.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming the assessment of the subject is excessive and violates the constitutionally guaranteed principle of uniformity of assessments. In support of the inequity argument, the appellant submitted a two-page brief, copies of property search details from the Cook County Assessor's Office for the subject and one suggested residential condominium building and a hand written location map. The data and descriptions provided by the appellant disclosed the address,

property index number (PIN), classification, age, lot size and assessed value for the subject units as well as the units associated with the comparable building. The appellant argued that the appellant's comparable building is identical to the subject but enjoys a lower assessment than the subject. No other descriptive data was provided by the appellant for either the subject units or the comparable condominium units. Based on the evidence presented, the appellant requested a reduction in the subject's improvement assessment.

The appellant also argued that the subject's total combined assessment increased by 44% from the prior triennial, whereas the total combined assessment for the comparable building increased by only 2%.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final total combined assessment of $338,362 was disclosed. In support of its assessment of the subject property, the board of review presented a sales analysis that consisted of three units located within a similar building located one block from the subject. The sales occurred between 2003 and 2005. The total consideration for the three sales was $2,094,500. Of that amount $21,000, or $7,000 per unit, was deducted for personal property. Thus, the total adjusted sales price for the real estate was calculated to be $2,073,500. The board then adjusted the sales price by applying the total of the percentages of ownership of the units which sold, or 59.048%, to conclude a total market value for the subject of $3,511,550. 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 it has jurisdiction over the parties and the subject matter of this appeal. The issue before the Property Tax Appeal Board is whether or not the subject's condominium units are being assessed equitably.

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 Board finds the appellant has not overcome this burden.

The Board finds the appellant's argument claiming the assessment of the subject properties is excessive and violates the constitutionally guaranteed principle of uniformity of assessments unpersuasive. The appellant submitted one residential condominium building as a suggested comparable to the subject, however, the Board finds the appellant's descriptive information with regard to the comparable is inadequate to determine its similarity or dissimilarity when compared to the subject. Section 1910.65(b) of the rules of the Property Tax Appeal Board

(86 Ill.Adm.Code §1910.65(b)) requires documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject. The appellant failed to provide the percentage of ownership, size of living area as well as features and distinctive amenities of the subject units and the individual units associated with the comparable building. In addition, the appellant only provided one suggested comparable which is insufficient for the Board to conduct an in depth analysis and determine comparability to the subject. The Board further finds the board of review's evidence fails to address the appellant's inequity argument.

Next, the Property Tax Appeal Board finds that the appellant's argument that the subject's assessment increased by a greater percentage than other properties does not support the contention of unequal treatment. The cornerstone of uniformity in assessment is the fair market value of the property. Kankakee County Board of Review v. Property Tax Appeal Board, 544 N.E.2d at 771. That is properties with similar market values should have similar assessments. Unequal treatment in the assessment process is demonstrated when properties of similar market values are assessed at substantially different levels. The mere contention that assessments among neighboring properties changed from one year to the next at different rates does not demonstrate that the properties are assessed at substantially different levels of fair market value.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to demonstrate that the subject properties were inequitably assessed by clear and convincing 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: March 18, 2011

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.