



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

APPELLANT: 910-912 Michigan Condominium Association  
DOCKET NO.: 08-20142.001-R-1 through 08-20142.006-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 910-912 Michigan Condominium Association, the appellant(s), by attorney Donald T. Rubin, of Rubin & Norris 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
08-20142.001-R-1	11-19-223-020-1001	3,220	56,727	\$59,947
08-20142.002-R-1	11-19-223-020-1002	3,164	55,743	\$58,907
08-20142.003-R-1	11-19-223-020-1003	3,053	53,778	\$56,831
08-20142.004-R-1	11-19-223-020-1004	3,351	59,024	\$62,375
08-20142.005-R-1	11-19-223-020-1005	3,164	55,743	\$58,907
08-20142.006-R-1	11-19-223-020-1006	3,053	43,778	\$46,831

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2008 tax year. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject consists of a three-story condominium dwelling of masonry construction. The dwelling is 87 years old and contains six-units. The property has a 9,900 square foot site, and is located in Evanston Township, Cook County. The subject is

classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted evidence of two sales in the subject building. Unit 1001 sold in March 2003 for \$485,000. Unit 1006 sold in July 2004 for 579,900. The appellant averaged the sale prices and multiplied it by six, the number of units in the building, to arrive at a fair market value for the building of \$3,195,000. In the alternative, the appellant argued that the two sale prices should have a personal property allowance deducted. After the deduction, the two adjusted prices should be added together, and divided by their total percentage of ownership to arrive at a market value for the building of \$3,145,757. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$343,798. The subject's assessment reflects a market value of \$3,581,229 when applying the 2008 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 9.60% as determined by the Illinois Department of Revenue. In support of its contention of the correct assessment, the board of review provided a condominium sales analysis. The board deducted \$12,000 for personal property from the \$579,900 purchase price (rounded to \$580,000) of unit 1006 which was sold in July 2004. The adjusted sale price was divided by the percentage of ownership of unit 1006 to arrive at a market value for the subject building of \$3,536,076. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted recorder of deeds print outs that indicated there were no sales in the subject building other than the sales the appellant provided.

### **Conclusion of Law**

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.

The Board finds that the two sales submitted by the parties are too distant in time to provide a reliable indicator of the subject's market value on January 1, 2008. In addition, neither party submitted any evidence to support the personal property deductions. As such, the Board finds that the appellant has not met the burden of proving by a preponderance of the evidence that the subject is overvalued. Therefore, the Board finds the subject is not overvalued, and 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.



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: August 22, 2014



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.