



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

APPELLANT: Adam Devlin-Brown  
DOCKET NO.: 08-20649.001-R-1 through 08-20649.032-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Adam Devlin-Brown, the appellant(s), by attorney Anita L. Bryant, 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 a reduction 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
08-20649.001-R-1	11-31-408-019-1001	654	13,183	\$ 13,837
08-20649.002-R-1	11-31-408-019-1003	841	16,939	\$ 17,780
08-20649.003-R-1	11-31-408-019-1004	895	18,039	\$ 18,934
08-20649.004-R-1	11-31-408-019-1005	789	15,900	\$ 16,689
08-20649.005-R-1	11-31-408-019-1006	815	16,420	\$ 17,235
08-20649.006-R-1	11-31-408-019-1007	838	16,882	\$ 17,720
08-20649.007-R-1	11-31-408-019-1008	482	9,713	\$ 10,195
08-20649.008-R-1	11-31-408-019-1009	456	9,193	\$ 9,649
08-20649.009-R-1	11-31-408-019-1011	921	18,559	\$ 19,480
08-20649.010-R-1	11-31-408-019-1012	944	19,022	\$ 19,966
08-20649.011-R-1	11-31-408-019-1013	818	16,478	\$ 17,296
08-20649.012-R-1	11-31-408-019-1014	844	16,998	\$ 17,842
08-20649.013-R-1	11-31-408-019-1015	869	17,519	\$ 18,388
08-20649.014-R-1	11-31-408-019-1016	844	16,998	\$ 17,842
08-20649.015-R-1	11-31-408-019-1017	869	17,519	\$ 18,388
08-20649.016-R-1	11-31-408-019-1018	895	18,039	\$ 18,934
08-20649.017-R-1	11-31-408-019-1020	869	17,519	\$ 18,388
08-20649.018-R-1	11-31-408-019-1022	944	19,022	\$ 19,966
08-20649.019-R-1	11-31-408-019-1023	844	16,998	\$ 17,842
08-20649.020-R-1	11-31-408-019-1024	869	17,519	\$ 18,388
08-20649.021-R-1	11-31-408-019-1025	631	12,720	\$ 13,351
08-20649.022-R-1	11-31-408-019-1026	901	18,155	\$ 19,056
08-20649.023-R-1	11-31-408-019-1027	924	18,617	\$ 19,541
08-20649.024-R-1	11-31-408-019-1028	950	19,137	\$ 20,087

08-20649.025-R-1	11-31-408-019-1029	757	15,264	\$ 16,021
08-20649.026-R-1	11-31-408-019-1030	823	16,594	\$ 17,417
08-20649.027-R-1	11-31-408-019-1031	849	17,114	\$ 17,963
08-20649.028-R-1	11-31-408-019-1032	858	17,287	\$ 18,145
08-20649.029-R-1	11-31-408-019-1033	884	17,807	\$ 18,691
08-20649.030-R-1	11-31-408-019-1034	910	18,328	\$ 19,238
08-20649.031-R-1	11-31-408-019-1038	80	1,619	\$ 1,699
08-20649.032-R-1	11-31-408-019-1039	80	1,619	\$ 1,699

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject consists of 32 condominium units located in Rogers Park Township, Cook County. The 32 units comprise 87.05% of the ownership interest in the subject building, and the units ending with Property Index Numbers ("PIN") -1038 and -1039 are parking units. 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 argued that 34 sales have occurred in the subject building between May 2005 and February 2008. These sales consist of 98.6% of the ownership interest in the subject building. Thirty of the thirty-four sales submitted were the sales of the residential units under appeal. The remaining four sales comparables were residential units that are not subject to this appeal. The aggregate sale price of these units was \$6,233,000. An amount of \$5,000 was deducted from each sale for personal property, for a total price of all the sold units of \$6,063,000. This value was then divided by the sold units' percentage of ownership of 98.6% to arrive at a total value for the building of \$6,149,087. 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." In support of the subject's assessment, the board of review submitted a memo from Matt Panush, Cook County Board of Review Analyst. The memorandum shows that four units in the subject's building, or 10.33% of ownership, sold between 2006 and 2008 for a total of \$711,900. These four sales were also submitted by the appellant. An allocation of two percent for personal property was subtracted from the sales price, and then divided by the percentage of ownership of the units to arrive at a total market value for the

building of \$6,753,746. Based on this evidence, the board of review 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). "[A] contemporaneous sale between parties dealing at arm's length is not only relevant to the question of fair cash market value, [citations] but would be practically conclusive on the issue of whether an assessment was at full value." People ex rel. Korzen v. Belt Ry. Co. of Chi., 37 Ill. 2d 158, 161 (1967). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction is warranted for all but one PIN.

The Board finds that the best evidence of the subjects' market values are the sales submitted by the parties. However, the Board is not persuaded by either parties' argument that there should be a reduction in the purchase prices because those prices included personal property. There is no evidence to suggest that personal property was included in the sales, other than the parties conflicting, and arbitrary, assertions in the pleadings.

Thus, the Board will take the sum of the sales, divide by the total percentage of ownership of the units sold, and multiply the result by each of the subject units' percentage of ownership. This result will be the Board's finding regarding the units' market value. Each unit's market value will then be multiplied by the 2008 Illinois Department of Revenue three-year median level of assessment for class 2 property of 9.60% to arrive at the proper assessment. 86 Ill. Admin. Code § 1910.50(c)(2)(A). Under this process, the Board finds that

Docket No: 08-20649.001-R-1 through 08-20649.032-R-1

all but one of the PINs is overvalued, and a reduction is warranted, except for PIN -1003.

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. Ferr*

Member

Member

*Mark Morris*

Member

*JR*

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: April 18, 2014

*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.