FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Amy Kozleuchar
DOCKET NO.: 08-20683.001-R-1
PARCEL NO.: 14-06-401-056-1019

The parties of record before the Property Tax Appeal Board are Amy Kozleuchar, the appellant; 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:

LAND:	$ 1,140
IMPR.:	$ 24,574
TOTAL:	$ 25,714

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an eight-year old, residential condominium unit located in a three-story, masonry constructed, 39 unit condominium building situated on a 17,407 square foot parcel. The subject unit contains 1,100 square feet of living area, two and one-half bathrooms and central air-conditioning. The subject property's percentage of ownership is 3.244%. The appellant argued unequal treatment in the assessment process as the basis of the appeal.

In support of this argument, the appellant presented assessment information and descriptive data on four units within the subject's building. The four suggested comparables consist of eight-year-old, 1,100 square foot, residential condominium units with central air-conditioning. Each unit has a total assessment of $15,544 or $13.50 per square foot. The appellant's evidence asserted that each comparable has a 2.945% of ownership. The appellant included two photographs of the condominium building, a one-page letter, a grid listing each unit number and corresponding percentage of ownership (Exhibit C) as well as Cook County Assessor's Internet Database sheets for the subject and

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

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $25,714 was disclosed. This assessment reflects a market value of $267,854 based on the Illinois Department of Revenue's 2008 three-year median level of assessment for Cook County class 2 property. 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 16 units within the subject's building sold between 2005 and 2008. The total consideration for the 16 sales was $3,461,700. Of that amount, $69,232 or 2% was deducted for personal property. Thus, the total adjusted sales price for the real estate was calculated to be $3,392,468. The board then adjusted the sales price by applying the total of the percentages of ownership of the units which sold, or 40.732%, to conclude a total market value for the subject building of $8,328,753. The subject's percentage of ownership, 3.244%, was then utilized to arrive at a value for the subject unit of $270,184. The board also submitted a grid listing for each unit in the building: the property index number, the percentage of ownership, the assessment, and the increase in the assessment. This document shows the subject has a 3.244% of ownership in the building, whereas, the four equity comparables provided by the appellant have a 1.961% of ownership. As a result of its analysis, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter arguing that the condominium sales analysis provided by the board of review demonstrates the inequity of the assessments based on the sale price and percentage of ownership.

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 unit is 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 Property Tax Appeal Board finds the evidence in totality does not support a reduction in the subject's assessment. The Board accords the most weight to the board of review's grid that lists for each unit in the building: the property index number, the percentage of ownership, the assessment, and the increase in the assessment. This document shows the subject has a 3.244% of

ownership in the building, whereas, the percentage of ownership for each of the four comparables submitted by the appellant is 1.961%. The appellant's grid (Exhibit C) shows the unit number and corresponding percentage of ownership but fails to include the property index number for each unit or the source of the document. In previous decisions, this Board has recognized it is the practice in Cook County when assessing condominiums to utilize the percentage of ownership, as contained in the condominium declaration, as the factor to pro-rate assessments to individual unit owners. In the instant appeal, the subject property has a greater percentage of ownership and consequently, a corresponding higher assessment as compared to the appellant's equity comparables.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to demonstrate that the subject property 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: April 22, 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.