



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

APPELLANT: Cornelia Lakewood, LLC
DOCKET NO.: 09-22688.001-R-1 through 09-22688.016-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Cornelia Lakewood, LLC, the appellant(s), by attorney Michael D. Gertner, of Michael D. Gertner, Ltd. 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
09-22688.001-R-1	14-20-307-038-1001	3,249	28,054	\$31,303
09-22688.002-R-1	14-20-307-038-1002	3,298	28,480	\$31,778
09-22688.003-R-1	14-20-307-038-1003	3,348	28,905	\$32,253
09-22688.004-R-1	14-20-307-038-1004	2,757	23,802	\$26,559
09-22688.005-R-1	14-20-307-038-1005	3,249	28,054	\$31,303
09-22688.006-R-1	14-20-307-038-1006	3,298	28,480	\$31,778
09-22688.007-R-1	14-20-307-038-1007	3,348	28,905	\$32,253
09-22688.008-R-1	14-20-307-038-1008	2,757	23,802	\$26,559
09-22688.009-R-1	14-20-307-038-1009	2,806	24,227	\$27,033
09-22688.010-R-1	14-20-307-038-1010	2,855	24,653	\$27,508
09-22688.011-R-1	14-20-307-038-1011	2,757	23,802	\$26,559
09-22688.012-R-1	14-20-307-038-1012	2,806	24,227	\$27,033
09-22688.013-R-1	14-20-307-038-1013	2,855	24,653	\$27,508
09-22688.014-R-1	14-20-307-038-1014	295	2,551	\$2,846
09-22688.015-R-1	14-20-307-038-1015	246	2,125	\$2,371
09-22688.016-R-1	14-20-307-038-1016	246	2,125	\$2,371

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 16-unit condominium building located in Chicago, Lakeview Township, Cook County. The appellant argued that there was unequal treatment in the assessment process as the basis of this appeal.

In support of this equity argument, the appellant submitted three equity comparables. Two of these comparables are units within the subject building that are under appeal. The third comparable is a condominium unit in a building located within one block of the subject.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$346,845. In support of the subject's assessment, the board of review submitted a memo from Dan Michaelides, Cook County Board of Review Analyst. The memorandum shows that four units or 24.2650% of ownership within the subject's building sold in 2006 and 2007 for a total of \$1,027,298. An allocation of \$20,544 was subtracted from the sale price for personal property to arrive at a total market value for the building of \$4,148,996. In addition, the board of review included a grid of all 16 units within the subject's building, their assessments and their percentage of ownership. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants 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, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. *Property Tax Appeal Board Rule* 1910.65(b). Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented, the Board concludes that the

appellant has not met this burden and that a reduction is not warranted.

The Board finds that the appellant failed to submit sufficient evidence to determine if the subject property was over assessed. Pursuant to Pace Realty Group, Inc. v. The Property Tax Appeal Board, 306 Ill.App.3rd. 718, 713 N.E.2d 1249, 239 Ill.Dec.339 (1999), the Appellate Court found that in determining what properties are truly comparable, there is error as a matter of law when the selection of comparables includes a property which has also received the same contested assessment. Therefore, the appellant's first two comparables are given no weight as they are part of this appeal. In addition, the Board finds that although the remaining comparable presented by the appellant is similar in location, the appellant failed to submit data on the comparable's percentage of ownership which is one of the main factors in determining comparability and, therefore, the Board is unable to determine comparability to the subject property. Moreover, the Board cannot make a determination of equity based on one comparable.

As a result of this analysis, the Board finds that the appellant has not adequately demonstrated that the subject was inequitably assessed by clear and convincing evidence and that a reduction 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.

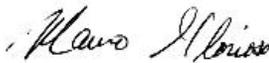
Chairman



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: October 24, 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.