FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Elmdale Avenue Condo Association
DOCKET NO.: 09-27276.001-R-1 through 09-27276.006-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Elmdale Avenue Condo Association, the appellant, by attorney John P. Fitzgerald of the Fitzgerald Law Group, P.C., 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
09-27276.001-R-1	14-05-127-033-1001	5,019	35,893	$40,912
09-27276.002-R-1	14-05-127-033-1002	2,901	20,747	$23,648
09-27276.003-R-1	14-05-127-033-1003	3,283	20,365	$23,648
09-27276.004-R-1	14-05-127-033-1004	2,901	36,957	$39,858
09-27276.005-R-1	14-05-127-033-1005	4,890	21,870	$26,760
09-27276.006-R-1	14-05-127-033-1006	3,323	23,764	$27,087

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is composed of a six unit residential condominium building. The condominium building is 86 years old. The property is a class 2-99 residential condominium under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") and is located in Chicago, Lake View Township, Cook County. Class 2-99 property has an Ordinance level of assessment of 10% for the 2009 tax year.

The appellant is challenging the subject's assessment for the 2009 tax year based on assessment inequity. The appellant submitted information on four comparable properties described as class 2-99 properties each with six units. The comparables ranged in age from 86 to 98 years old and were located within two blocks from the subject property. The comparables have improvement assessments ranging from $104,673 to $149,616 or from $17,446 to $24,936 per unit. The appellant indicated the subject condominium units had a combined improvement assessment of $159,596 or $26,599 per unit. Based on this evidence the

appellant requested a reduction in the improvement assessments of each unit to $29,271, $16,988, $16,596, $30,316, $18,033 and $19,470, respectively.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's combined total assessment of $181,913 was disclosed. The subject's assessment reflects a market value of $1,819,130 when applying the Ordinance level of assessment for class 2-99 property.

In support of the assessment the board of review submitted an analysis prepared by Matt Panush, an analyst with the Cook County Board of Review. He indicated the total consideration for a sale of a residential unit in the subject's condominium in 2009 was $368,500. The analyst deducted $7,370 or 2% of the total sales price from the total consideration to account for personal property to arrive at a total adjusted consideration of $361,130. Dividing the total adjusted consideration by the percentage of interest of ownership in the condominium for the unit that sold of 14.71% indicated a full value for the condominium property of $2,454,996. 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 finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989); 86 Ill.Admin.Code 1910.63(e). 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 met this burden.

The Board gives little weight to the appellant's equity comparables. First, the Board finds the appellant provided limited descriptions with respect to the subject condominium building and units and limited descriptions with respect to the purported comparables. The Board finds the comparables presented by the appellant were not shown to be similar to the subject property in physical attributes. Furthermore, the appellant presented no market data to demonstrate the comparables and the subject property were similar in value but assessed at substantially different proportions of fair cash value. The Board finds the appellant failed to demonstrate the comparables and the subject were similar condominiums with similar by-laws, rules, regulations, fee structures, unit sizes, style, condition, amenities, occupancy rates, and parking facilities. The Board further finds the board of review presented a market analysis

that supported the assessments of the respective condominium units. In conclusion, the Board finds the appellant did not demonstrate with clear and convincing evidence that the improvement assessments were inequitable and reductions in the assessments are not justified.

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: December 20, 2013

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.