



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

APPELLANT: Andriyous Youkhana
DOCKET NO.: 10-28221.001-R-1
PARCEL NO.: 05-08-101-024-0000

The parties of record before the Property Tax Appeal Board are Andriyous Youkhana, the appellant, by attorney Herbert Kanter of Rieff Schramm Kanter & Guttman 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:

LAND: \$210,421
IMPR: \$479,579
TOTAL: \$690,000

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 2010 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is improved with a two-story masonry constructed single family with 8,329 square feet of above grade gross living area. The dwelling is approximately 16 years old. Features of the home include a full finished walkout basement, seven bedrooms, five full bathrooms above grade, two powder rooms above grade, two full bathrooms in the basement, central

air conditioning, four fireplaces above grade, one fireplace in the basement, five balconies, two decks, a four-car attached garage and an outdoor in-ground swimming pool. The property has approximately 215 feet of frontage along Lake Michigan and a 103,912 square foot site located in Glencoe, New Trier Township, Cook County. The property is a class 2-09 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 an appraisal estimating the subject property had a market value of \$6,900,000 as of January 1, 2009. The appraisal was prepared by Steven A. Rapoport, Associate Real Estate Trainee Appraiser; Harry M. Fishman, Certified General Real Estate Appraiser; and Mitchell J. Perlow, MAI, Certified General Real Estate Appraiser of Property Valuation Services. In estimating the market value of the subject property the appraisers developed the cost approach to value and the sales comparison approach to value using eight comparables.

In further support of the overvaluation argument the appellant submitted information on seven sales, with the comparable located at 3 Canterbury Court, Winnetka, Illinois, being the same property as appraisal comparable sale #7. These comparables sold from April 2010 to June 2011 for prices ranging from \$3,550,000 to \$5,250,000 or from \$474.62 to \$766.74 per square foot of living area, including land.

The appellant also submitted a copy of the final decision issued by the board of review establishing a total assessment of \$739,978. The subject's assessment reflects a market value of \$7,399,780 or \$888.44 per square foot of living area, including land, when applying the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-09 property of 10%. Based on this evidence, the appellant requested the subject's assessment be reduced to \$690,000 to reflect the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" and evidence in support of the assessment.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86

Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value in this record to be the appraisal and the comparables sales submitted by the appellant. The appellant's appraisers estimated the subject property had a market value of \$6,900,000 as of January 1, 2009. Additionally, the appellant provided comparable sales that had prices ranging from \$3,550,000 to \$5,250,000 or from \$474.62 to \$766.74 per square foot of living area, including land. The subject's assessment reflects a market value of \$7,399,780 or \$888.44 per square foot of living area, including land, which is above the appraised value and the range established by appellant's comparable sales. The board of review did not submit any evidence in support of the assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Board. (86 Ill.Admin.Code §1910.40(a) & §1910.69(a)). Based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's requests is appropriate.

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. Crit

Chairman

K. L. F...

Member

Richard A. ...

Member

Mark ...

Member

J.R.

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: March 20, 2015

A. ...

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.