



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

APPELLANT: Baer Fisher
DOCKET NO.: 19-21939.001-R-1
PARCEL NO.: 05-31-102-043-0000

The parties of record before the Property Tax Appeal Board are Baer Fisher, the appellant(s), by attorney Kevin Fanning, of Fanning Law, LLC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$10,053
IMPR.: \$48,447
TOTAL: \$58,500

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 2019 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 consists of a multi-level dwelling of frame exterior construction with 2,389 square feet of living area. The dwelling is 41 years old. Features of the home include central air conditioning and a two-car garage. The property has an 8,742 square foot site and is located in New Trier Township, Cook County. The subject is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance. The appellant indicated that the subject is not owner-occupied.

The appellant contends both overvaluation and inequity as the bases of the appeal. In support of the overvaluation argument, the appellant completed Section IV – Recent Sale Data of the petition and reported that the subject property was sold by Frank A Gusinde, Jr. to the appellant on November 25, 2019 for a price of \$585,000 or \$244.87 per square foot of living area, including land. The appellant reported the parties were not related and the property was sold

using realtors. Additionally, it was not sold pursuant to a foreclosure action. In further support of the purchase price, the appellant submitted a copy of the closing statement, the Trustee's Deed and a *Coldwellbanker.com* descriptive printout.

In support of the inequity argument, the appellant submitted descriptive information on four equity comparables. The properties are located within the same neighborhood code as the subject. The comparables consisted of multi-level class 2-34 dwellings of frame exterior construction. The dwellings ranged in age from 54 to 56 years old and in size from 1,524 to 1,677 square feet of living area. The comparables had improvement assessments ranging from \$17.50 to \$19.66 per square foot of living area.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$55,277 which would reflect a total market value of \$552,770 or \$231.38 per square foot of living area, land included, when applying the level of assessment under the Cook County Real Property Assessment Classification Ordinance of 10%. The requested reduced improvement assessment of \$45,224 would reflect an assessment of \$18.93 per square foot of living area.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$65,535. The subject's assessment reflects a market value of \$655,350 or \$274.32 per square foot of living area, including land, when applying the level of assessment under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject property has an improvement assessment of \$55,482 or \$23.22 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables. Each comparable is located within the same neighborhood code as the subject. The comparables are improved with similar multi-level dwellings of either masonry or frame and masonry exterior construction. The comparables ranged in size from 1,521 to 2,056 square feet of living area and have improvement assessments ranging from \$18.75 to \$22.40 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's 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 best evidence of market value to be the undisputed purchase of the subject property in November 2019 for a price of \$585,000. The appellant indicated the transaction had elements of an arm's-length transaction through the completion of Section IV - Recent Sale Data of the Property Tax Appeal Board's residential appeal form. It disclosed that the parties to the transaction were not related, the property was sold using a realtor, and the property had been

advertised on the open market. The appellant also submitted the closing statement and Trustee's Deed as evidence.

The board of review did not present any evidence to challenge the arm's length nature of the transaction or provide evidence that this sale was compulsory.

Based on this record the Board finds the subject property had a market value of \$585,000 as of January 1, 2019. Since market value has been determined, the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2 property of 10% shall apply.

Additionally, the Board also finds that the subject is now equitably assessed based upon the eight equity comparables submitted into evidence.

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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

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:

September 19, 2023



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Baer Fisher, by attorney:
Kevin Fanning
Fanning Law, LLC
200 N. LaSalle St.
Suite 1550
Chicago, IL 60601

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602