



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

APPELLANT: Todd Logan
DOCKET NO.: 07-20812.001-R-1
PARCEL NO.: 05-21-408-004-0000

The parties of record before the Property Tax Appeal Board are Todd Logan, the appellant, by attorney T. Swain, of Gould & Ratner 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: \$57,655
IMPR: \$132,603
TOTAL: \$190,258

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property contains 19,745 square feet of land which is improved with a 2-story dwelling of stucco construction containing 5,304 square feet of living area¹. The dwelling is 91 years old. Features of the home include a full unfinished basement, a fireplace and a 2-car garage. The dwelling is located in Winnetka, New Trier Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal report in which a market value of \$1,895,000, or \$357.28 per square foot of living area including land, was estimated for the subject property as of January 1, 2007. According to the appraiser, the subject property has 5,304 square feet of living area including 583 square feet on the third floor used as a studio. The appraiser included a detailed drawing of the subject property with dimensions to support this claim. The appraiser developed the sales comparison approach and the cost

¹ The board of review claims the dwelling contains 4,412 square feet of living area. The appraiser claims the dwelling contains 5,304 square feet of living area which includes 583 square feet of living area on the third floor.

approach in estimating the market value of the subject property but gave primary emphasis to the sales comparison approach since that is more responsive to recent market conditions than the cost approach. The appraiser considered three comparable properties that sold from April 2005 through December 2006, for prices that ranged from \$1,770,000 to \$2,180,000, or \$287.64 to \$431.29 per square foot of living area including land. The appellant requested that the subject's total assessment be reduced to \$189,500.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$224,200 was disclosed. The subject's assessment reflects a market value of \$2,233,068 or \$506.14 per square foot of living area, land included, using the 2007 three-year median level of assessments for class 2 residential properties in Cook County of 10.04% as determined by the Illinois Department of Revenue, and using the board of review's size of 4,412 square foot of living area. The board of review presented descriptions and assessment information on three equity comparable properties, none which had recently sold. The only sales data presented by the board of review was a list of parcel numbers, dates of sale and sale amounts for 20 properties. The sales occurred between 1990 and 2006 for prices ranging from \$440,000 to \$2,250,000. No details or characteristics for the individual properties were presented. 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 Property Tax Appeal Board further finds the evidence in the record supports a reduction in the subject's assessment.

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 must be proven by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

Initially the board finds the appraiser's size of the subject of 5,304 square feet of living area is the best evidence of size in the record. The Board further finds the appellant's appraisal report is the best evidence of the subject's market value in the record. The appraiser estimated a market value of \$1,895,000 or \$357.28 per square foot of living area including land for the subject property as of its assessment date of January 1, 2007. The subject's assessment reflects a market value of \$2,233,068 or \$421.02 per square foot of living area including land, which is

in excess of the market value estimate contained in the appraisal report. The Board gave little weight to the list of 20 suggested comparables sales contained in the board of review's submission of evidence due to lack of detailed description for comparison to the subject. The Board finds that the board of review did not refute the appellant's market value conclusion contained in the appraisal report.

Therefore, the Board finds the subject has a market value of \$1,895,000 as of its January 1, 2007 assessment date and the 2007 three-year median level of assessments for Cook County class 2 residential property of 10.04% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code 1910.59(c)(2)).

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. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

Member

Shawn R. Lerbis

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: June 24, 2011

Allen Castrovillari

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.