



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

APPELLANT: Michael Ben-Isvy  
DOCKET NO.: 07-26600.001-R-1  
PARCEL NO.: 04-20-110-012-0000

The parties of record before the Property Tax Appeal Board are Michael Ben-Isvy, the appellant, by attorney Mendy L. Pozin in Northbrook, 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:** \$18,353  
**IMPR.:** \$55,801  
**TOTAL:** \$74,154

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a 3,052 square foot, ten year old, two-story, frame and masonry, single-family dwelling. It is situated on a 14,339 square foot lot. Features of the dwelling include a full unfinished basement, central air conditioning, two-and-one-half baths, one fireplace, and a three-car garage. The appellant, via counsel, appeared before the Property Tax Appeal Board and argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

In support of this claim, the appellant submitted three suggested comparable properties located in close proximity to the subject. The suggested comparables are described as two-story, frame, or frame and masonry, single-family dwellings that are ten years old and range in size from 3,110 to 3,248 square feet of living area. Features include a partial finished basement, central air conditioning, one fireplace, and a two or three-car garage. These properties sold from December 2006 through November 2007 for prices ranging from \$737,500 to \$775,000 or from \$227.06 to

\$249.20 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment of \$78,959 was disclosed. The assessment of the subject property reflects a market value of \$965,657, or \$316.40 per square foot of living area including land based on the Illinois Department of Revenue's three-year median level of assessment of 10.04% for tax year 2007 for Cook County class 2 property. The board of review also submitted an assessor's printout of the subject property's characteristics and a list of sales prices for Cook County class 2-78 dwellings located in the subject property's neighborhood code. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant summarized the information provided on his grid sheet and the board of review rested on its previously submitted evidence.

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

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c).

The parties submitted a total of three suggested sales comparables. These comparables sold from December 2006 through November 2007 for prices ranging from \$737,500 to \$775,000 or from \$227.06 to \$249.20 per square per square foot of living area including land. The subject's assessment reflects a market value of \$965,657 or \$316.40 per square foot per square foot of living area including land based on the Illinois Department of Revenue's three-year median level of assessment of 10.04% for tax year 2007 for Cook County class 2 property. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessed valuation is not supported.

Based on this analysis, the Board finds the appellant has proven, by a preponderance of the evidence, that the subject property is overvalued. Thus, the Board finds a reduction is warranted.

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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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

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: June 22, 2012

*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.