



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

APPELLANT: John & Ann Satter  
DOCKET NO.: 07-26721.001-R-1  
PARCEL NO.: 05-08-304-013-0000

The parties of record before the Property Tax Appeal Board are John & Ann Satter, the appellant(s); 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:** \$ 45,012  
**IMPR.:** \$ 93,038  
**TOTAL:** \$ 138,050

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an 18,150 square foot parcel improved with two dwellings. One building consists of a two and one-half story, 91-year-old, single-family dwelling of masonry construction containing 3,740 square feet of living area with three full bathrooms, a partial-unfinished basement, central air-conditioning, a fireplace and a two-car attached garage. The second building consists of a one and one-half story, four-year-old coach house of frame construction containing 741 square feet of living area. The subject is located in New Trier Township, Cook County.

The appellant, John Satter, appeared before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. In support of this claim, the appellant stated that the subject was purchased in June 2005 for a price of \$1,300,000; the sale was a transfer between family members in that the property was purchased from his mother-in-law and the sale was not advertised. However, the appellant argued that he considered the sale to be an arm's length transaction in

that he paid market value for the property. A copy of the subject's settlement statement was provided.

The appellants also submitted a uniform residential appraisal report prepared by Adam Zimmerman. The appraisal revealed that Zimmerman is a State of Illinois certified real estate appraiser. The appraisal disclosed that Zimmerman inspected the interior and exterior of the subject property as well as the exterior of the sales comparables used in the report. The appraiser utilized the sales comparison approach to estimate a market value of \$1,375,000 for the subject as of January 1, 2007.

In the sales comparison approach to value, the appraiser employed the sales of three properties located within one mile of the subject. The comparables consist of two-story or two and one-half story, single-family dwellings of frame or masonry construction ranging from 96 to 107 years in age. The lots range in size from 13,224 to 24,750 square feet and the improvements range in size from 3,297 to 6,310 square feet of living area. The comparables sold between May 2006 and December 2006 for prices ranging from \$1,299,000 to \$1,475,000 or from \$225.83 to \$447.38 per square foot of living area, including land. The appraiser adjusted each of the three comparables for pertinent factors. Based on the similarities and differences of the comparables when compared to the subject, the appraiser concluded a value for the subject via the sales comparison approach of \$1,375,000 as of January 1, 2007.

In his report, the appraiser disclosed that the subject is in average condition and enjoyed upgrades that included a 1995 master suite and family room addition as well as a new kitchen with center-island, recessed lights and wood cabinets. Based on the evidence submitted, the appellants requested an assessment reflective of a fair market value for the subject of \$1,375,000.

At hearing, the appellants' witness was Adam Zimmerman, the appraiser for the property. Mr. Zimmerman testified that he is an Illinois licensed general appraiser. The witness stated that he has been appraising residential properties for about 15 years and is currently appraising commercial property as well. Mr. Zimmerman further testified that in his opinion, the purchase price of \$1,300,000 paid for the subject property in June 2005 was market based.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final total assessment of \$149,706 was disclosed. The assessment reflects a total market value of \$1,491,096 for the subject, when the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property, such as the subject, is applied. In support of the assessment, the board submitted property characteristic printouts and descriptive data on two properties suggested as comparable to the subject. The suggested comparables are improved with two-story, 80 or 89-year-old, single-family dwellings of frame or masonry construction with the same neighborhood code as

the subject. The improvements contain 3,773 and 3,899 square feet of living area. The comparables contain two and one-half or three and one-half bathrooms, a finished or unfinished basement and two or three fireplaces. One comparable has central air-conditioning as well as a two-car garage. The improvement assessments are \$31.65 and \$30.43 per square foot of living area, respectively.

At hearing, the board's representative stated that he did not consider the subject's sale in 2005 to be an arm's length transaction and indicated that the board of review would rest on the written evidence submissions. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued that the board's two comparables differ significantly from the subject in location in that they are located well over a mile from the subject and in a different neighborhood within walking distance to the train station.

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.

The appellants contend 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. 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 arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having considered the evidence presented, the Board finds the appellants have satisfied this burden and a reduction is warranted.

In determining the fair market value of the subject property, the Property Tax Appeal Board finds the best evidence to be the appellants' appraisal report. The appellants' appraiser utilized the sales comparison approach to value to estimate the fair market value of the subject. The Board finds the appraisal to be persuasive for the appraiser; has experience in appraising; personally inspected the subject property and reviewed the subject's history; utilized appropriate market data in undertaking the sales comparison approach to value; and lastly, used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary. The Board finds the board of review did not present any evidence or argument refuting the appellants' appraisal report. In addition, the board of review failed to address the appellants' market value argument.

Therefore, the Property Tax Appeal Board finds that the subject had a fair market value of \$1,375,000 as of January 1, 2007. Since fair market value has been established, the 2007 Illinois Department of Revenue's three-year median level of assessments of 10.04% for Class 2 property shall apply and a reduction is warranted.

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 Morris*

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: October 22, 2010

*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.