



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

APPELLANT: Keith Dunn  
DOCKET NO.: 08-23300.001-R-1  
PARCEL NO.: 05-35-101-010-0000

The parties of record before the Property Tax Appeal Board are Keith Dunn, the appellant, by attorney Arnold G. Siegel in Chicago, and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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:** \$ 37,260  
**IMPR.:** \$ 152,427  
**TOTAL:** \$ 189,687

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story dwelling of masonry construction containing 4,025 square feet of living area. The dwelling is five years old. Features of the home include a full finished basement, central air conditioning, two fireplaces, and a two-car attached garage. The dwelling is located in Wilmette, 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 dated August 24, 2008 in which a market value of \$1,165,000 was estimated for the subject property retroactive to January 1, 2007. The appraiser stated that the dwelling was in average condition; however, he also noted "signs of poor workmanship were visible with nails popping and the drywall was cracked." The appraiser developed the sales comparison approach and the cost approach but gave primary emphasis to the sales comparison approach for estimating the market value of the

subject property. Using the cost approach, the appraiser estimated a market value of \$1,235,000. Under the sales comparison approach, the appraiser considered five comparable properties that sold from December 2005 to December 2007 for prices that ranged from \$900,000 to \$1,925,000. The comparable properties are improved with two or two and one-half story frame, masonry, or frame and masonry dwellings that range in age from 19 to 95 years old and range in size from 4,200 to 6,500 square feet of living area. The comparable properties had per square foot sale prices that ranged from \$214.29 to \$302.77 per square foot of living area, land included. The appraiser came to the conclusion that the subject property had a market value of \$290.00 per square foot or \$1,165,000. In the brief, the appellant's counsel requested that the 9.23% level of assessments on class 2 property in Cook County be applied to the appraiser's finding of market value and that the subject's total assessment be reduced to \$107,529.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$189,687 was disclosed. The subject's assessment reflects a market value of \$1,889,313 or \$469.39 per square foot of living area, land included, using the 2007 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 10.04% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)).

The board of review presented descriptions and assessment information on four comparable properties consisting of two-story masonry dwellings that range in age from two to ten years old. Two of the comparables are located one-quarter mile from the subject property. The dwellings range in size from 3,902 to 4,240 square feet of living area, and they have improvement assessments ranging from \$39.00 to \$40.33 per square foot of living area. As part of its evidence, the board of review also disclosed that comparable two sold in April 2005 for \$2,427,000 or \$572.41 per square foot of living area, land included, and comparable four sold in November 2005 for \$1,825,000 or \$467.71 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Board finds it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record does not support 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 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). 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 not warranted.

In this appeal, the appellant submitted an appraisal that gave primary emphasis to the sales comparison approach to value. The appraiser analyzed five comparable sales that sold from December 2005 to December 2007 in order to estimate the subject's market value. The Board gives reduced weight to the conclusion of value in the appellant's appraisal due to the fact that four of the five comparables sales were much older than the subject; three comparables were much larger; and four comparables were located in another municipality. The board of review submitted four equity comparables and also included sale prices for two of these comparables. The board of review's comparable #2 sold in April 2005 for \$2,427,000 or \$572.41 per square foot of living area, land included, and comparable #4 sold in November 2005 for \$1,825,000 or \$467.71 per square foot of living area, land included. These comparables were very similar to the subject in age, location, design, size, and exterior construction. The subject has a total assessment of \$189,687, which reflects a market value of \$1,889,313 or \$469.39 per square foot of living area when using the 2007 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 10.04% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)). The subject's assessment reflects a market value between the best sales in the record. Based on the evidence contained in the record, the Board finds the appellant has not shown by a preponderance of the evidence that the subject is overvalued as reflected by its assessment and no change in the assessment is justified.

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

*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.