



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

APPELLANT: Steven Goode
DOCKET NO.: 08-25459.001-R-1
PARCEL NO.: 04-05-315-003-0000

The parties of record before the Property Tax Appeal Board are Steven Goode, the appellant, by attorney Scott Shudnow of Shudnow & Shudnow, Ltd. 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: \$ 8,871
IMPR.: \$ 45,272
TOTAL: \$ 54,143**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction that is 19 years old. The dwelling contains 2,421 square feet of living area with a partial unfinished basement, central air conditioning, a fireplace, and a two-car attached garage. The subject property has a classification code of 2-95 under the Cook County Real Property Assessment Classified Ordinance, individually owned townhome or row house up to 62 years of age. The dwelling is located in Northbrook, Northfield 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 \$375,000 was estimated for the subject property as of January 1, 2007. 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 \$375,107. Under the sales comparison approach, the appraiser considered three comparable properties that sold from January to August 2006 for prices that ranged from \$380,000 to \$398,000. The comparable properties are improved with masonry or frame and masonry dwellings that range in age from 20 to 33 years old and

range in size from 1,483 to 2,110 square feet of living area. They are located from 0.4 to 1.04 mile from the subject. Two of the comparable sale properties are described as "half duplex", and another is described as a townhouse; however, the appraiser did not disclose the number of stories for each comparable property. Based on photographic evidence supplied in the appraisal, comparable sale #1 appears to be two-story; comparable sale #2 appears to be one and one-half story; and comparable sale #3 appears to be one-story. After identifying some of the differences between the comparable properties and the subject, the appraiser made adjustments to the sale prices. As a result, the adjusted sale prices of the comparable properties ranged from \$368,000 to \$383,500. In the brief, the appellant's counsel requested that the three-year median level of assessments on class 2 property of 10.04% in Cook County be applied to the appraiser's finding of market value and that the subject's total assessment be reduced to \$37,650.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$54,143 was disclosed. The subject's assessment reflects a market value of \$563,990 or \$232.96 per square foot of living area, land included, using the 2008 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 9.60% 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 three comparable properties that are located on the same block as the subject. The dwellings are one-story frame townhouses. Each townhouse is 18 years old with 2,421 square feet of living area, a partial unfinished basement, central air conditioning, a fireplace, and a two-car attached garage. These properties have improvement assessments that range from \$18.70 to \$20.41 per square foot of living area. As part of its evidence, the board of review also disclosed that comparable one sold in August 2005 for \$587,000 or for \$242.46 per square foot of living area, land included. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney noted that the board of review had submitted "one unadjusted raw sale". Counsel also requested that the 2008 three-year median level of assessments on class 2 property of 9.60% in Cook County be applied to the appraiser's finding of market value and that the subject's total assessment be reduced to \$36,000.

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 (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 not warranted.

In this appeal, the appellant submitted an appraisal that gave primary emphasis to the sales comparison approach to value. The appraiser analyzed three comparable sales 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 the comparables sales are from 13% to 39% smaller than the subject and they all differed from the subject in exterior construction. In addition, comparable sales #2 and #3 were 10 and 15 years older than the subject, and comparable sales #1 and #2 differed in design. Although the comparable sale properties were located in the same general area as the subject, none were located in the same block as the subject. The board of review submitted four equity comparables and also included the sale price of one of these comparables. The board of review's comparable #1, which sold in August 2005 for \$587,000 or for \$242.26 per square foot of living area, land included, was identical to the subject property in all respects. The subject has a total assessment of \$58,288, which reflects a market value of \$563,990 or \$232.96 per square foot of living area, land included, using the 2008 three-year median level of assessments for Cook County Real Property Assessment Classification Ordinance Class 2 property of 9.60% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code 1910.59(c)(2)). The subject's assessment reflects a market value below the best sale 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: May 20, 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.