



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

APPELLANT: Angelo Dipaolo
DOCKET NO.: 08-28609.001-C-1 through 08-28609.002-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Angelo Dipaolo, the appellant, by attorney Edward Larkin, of Larkin & Larkin in Park Ridge; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-28609.001-C-1	04-15-200-017-0000	214,556	48,000	\$ 262,556
08-28609.002-C-1	04-22-200-009-8003	1,722	392	\$ 2,114

Subject only to the State multiplier as applicable.

ANALYSIS

The subject consists of a nine-hole golf course and club house built on a 3,794,376 square foot site, or 87.107 acres. The club house consists of a 2,809 square foot, one-story building, built in 1997. The subject is located in Northbrook, Illinois in Northfield Township. The appellant, via counsel, argued that the fair market value of the subject property was not accurately reflected in its assessed value as the basis of this appeal.

In support of the market value argument, the appellant submitted a commercial appraisal report for the subject property with an effective date of January 1, 2004. The appraiser estimated a fair market value for the subject of \$350,000, or \$4,000 per acre, for the open space land value, as well as \$190,000 based on the sales comparison approach to value. The appraiser also conducted an inspection of the subject.

The appraiser analyzed 13 open space land sales, six of which were in McHenry County, four in Lake County, two in Kane County, and one in Cook County. The sales range in size from 78.5 to 546.024 acres and in sale date from January 2001 through November 2003. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's final assessment of \$264,670 was disclosed. In support of the subject's assessment, the board of review submitted a property record card for the subject, a legal brief in support of the current assessment of the open space portion of the subject property, and raw sales data for five restaurant buildings located within seven and one-half miles of the subject in support of the current assessment for the clubhouse land and improvement portion of the subject property. The sales data was collected from the CoStar Comps service, and the CoStar Comps sheets state that the research was licensed to the Cook County Assessor's Office. However, the board of review included a memorandum which states that the submission of these comparables is not intended to be an appraisal or an estimate of value, and should not be construed as such. The memorandum further states that the information provided was collected from various sources, and was assumed to be factual, accurate, and reliable; but that the information had not been verified, and that the board of review did not warrant its accuracy.

The comparables are described as one-story, masonry, restaurant buildings. Additionally, the comparables are from 29 to 65 years old, and have from 2,400 to 4,200 square feet of building area. The comparables sold between March 2003 and May 2009 for \$353,210 to \$1,310,000.

The open space brief argued that sales data supports a uniform price of \$0.37 per square foot for the fair cash value of open space throughout Cook County as of January 1, 2008. A list of 131 open space sales, divided by county, was also submitted. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant's attorney argued that the board of review did not address the appellant's appraisal or the subsequent 2009 board of review reduction, which was submitted for the first time in the written rebuttal.

After reviewing the record and considering the evidence, the Property Tax Appeal Board (the "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. Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 339 Ill. App. 3d 529, 545 (1st Dist. 2002); National City Bank of Michigan/Illinois v. Prop. Tax Appeal Bd., 331 Ill. App. 3d 1038, 1042 (3d Dist. 2002) (citing Winnebago Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 313 Ill. App. 3d 179 (2d Dist. 2000)); 86 Ill. Admin. Code § 1910.63(e). 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. Calumet Transfer,

LLC v. Prop. Tax Appeal Bd., 401 Ill. App. 3d 652, 655 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(c). Having considered the evidence presented, the Board finds that the evidence indicates a reduction is not warranted.

In determining the fair market value of the subject property, the Board finds the appellant's appraisal date of value of January 1, 2004 too far removed from the lien date to accurately reflect the subject's market value as of January 1, 2008. The appraisal is over three years old and uses comparables whose sale dates range from January 2001 to November 2003. The appellant failed to provide any recent sales comparables or an updated appraisal as evidence to support the subject market value as of January 1, 2008.

Accordingly, in determining the fair market value of the subject property, the Board finds that the appellant failed to submit sufficient evidence to show the subject was overvalued. Therefore, the Board finds that the appellant has not met its burden by a preponderance of the evidence and that the subject does not warrant a reduction based upon the market data submitted into evidence.

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

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: October 18, 2013

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.