



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

APPELLANT: Kimberly Paris
DOCKET NO.: 09-26424.001-R-1
PARCEL NO.: 04-01-412-045-0000

The parties of record before the Property Tax Appeal Board are Kimberly Paris, the appellant, by attorney Leonard Schiller of Schiller Klein PC, in Chicago, 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: \$17,379
IMPR: \$84,971
TOTAL: \$102,350

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject is improved with a 25 year old, two-story, frame and masonry, single-family dwelling. The dwelling contains 3,230 square feet of living area and was built in 1985. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and a two-car garage. The

property has a 16,167 square foot site and is located in Glencoe, New Trier Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this market value argument, the appellant submitted a residential appraisal report for the subject property with an effective date of January 1, 2008. The appraiser estimated a fair market value for the subject of \$825,000 based on the cost and sales comparison approaches to value. The appraiser indicated that the subject had not been sold within the last three years. Additionally, in the cost approach the appraiser valued the subject site at \$28,000, with no further explanation or support for the conclusion. Based on this evidence, the appellant requested a reduction in the subject's assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$109,250. The subject's assessment reflects a market value of \$1,227,528 or \$380.04 per square foot of living area, including land, when applying the 2009 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% as determined by the Illinois Department of Revenue.

In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as two-story, frame and masonry, single-family dwellings. Additionally, the comparables have from 3,098 to 3,500 square feet of living area, and have improvement assessments ranging from \$29.39 to \$31.14 per square foot of living area. The comparables also have full or partial basements, two of which include finished area, central air conditioning, one or two fireplaces and a two-car garage. The board of review's grid sheet also states that the subject sold in June 2006 for \$1,150,000 or \$356.04 per square foot of living area, including land. The board of review's submission indicates that comparable #4 sold in December 2008 for \$825,000 or \$235.71 per square foot of living area, including land. The board of review also included a list of twenty properties that sold between June 1991 and September 2009 for prices ranging from \$425,000 to \$1,800,000. No other substantive descriptive information regarding these properties was provided other than their respective property identification numbers.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel stated that the board of review's equity comparables fail to address the appellant's market value argument. Counsel also stated that the board of review's one comparable sale has no adjustments for date of sale, location, site size, design, quality of construction, age, condition and/or modernization. Given the foregoing, counsel contends the only evidence before the Board as to the subject's market value is the appraisal submitted by the appellant.

Conclusion of Law

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. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the best evidence in the record reflects that a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the sale of the subject property in June 2006 for \$1,150,000 which was not rebutted by the appellant's counsel after receipt of the board of review's evidence. The Board gives no weight to the one comparable sale presented by the board of review. The Board also gives no weight to the appellant's appraisal report as the appraiser failed to acknowledge the sale of the subject property that occurred within 3 years of the valuation date. In fact, the appraiser stated as to the subject's sale history "none within 3 years." Finally, although this sale transaction occurred 30 months prior to the 2009 lien date of January 1, 2009, the Board finds that the subject's sale is the best market value evidence in the record given that the appellant's appraisal is not credible due to its failure to acknowledge the recent sale of the subject property.

The subject's assessment reflects a market value of \$1,227,528 or \$380.04 per square foot of living area, including land, which is above the subject's June 2006 purchase price of 1,150,000 which is the best market value evidence in this record. The Board finds the subject property had a market value of

\$1,150,000 as of the assessment date at issue. Since market value has been established the 2009 three year average median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.9% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(2).

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. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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: February 20, 2015

A. Portol

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.