



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

APPELLANT: Elaine Rozansky  
DOCKET NO.: 09-29476.001-R-1  
PARCEL NO.: 05-07-111-020-0000

The parties of record before the Property Tax Appeal Board are Elaine Rozansky, the appellant, by attorney Mitchell L. Klein 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: \$29,400  
IMPR: \$79,625  
TOTAL: \$109,025**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property has a parcel of 21,139 square feet of land area that is improved with a two-story dwelling of stucco construction. The dwelling is approximately 94 years old and has 4,703 square feet of living area. Features of the home include a full basement that is 50% finished, central air conditioning, a fireplace, and a two-car attached garage.<sup>1</sup> The subject property is classified as a class 2-06 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Glencoe, New Trier Township, Cook County.<sup>2</sup>

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<sup>1</sup> The board of review claims the subject contains 4,554 square feet of living area. The board of review provided the subject's property characteristic sheets to support this claim. The appellant's appraiser listed the subject dwelling's living area as 4,703 and provided a schematic drawing as well as calculations to support this claim. The Board accepts the appraiser's claim as to the size of the subject's dwelling.

<sup>2</sup> Class 2-06 is a two or more story residence, over 62 years of age, 2,201 to 4,999 square feet.

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 \$1,225,000 or \$260.47 per square foot of living area, land included, was estimated for the subject property as of January 1, 2009. The appraiser developed the sales comparison approach and the cost approach in order to estimate the market value of the subject property. Under the cost approach, the appraiser estimated that the subject property had a market value of \$1,200,400.

Under the sales comparison approach, the appraiser considered three comparable properties that sold from July to September 2008 for prices that ranged from \$1,020,000 to \$1,490,000 or from \$229.78 to \$351.83 per square foot of living area, land included. The three comparable sale properties have lot sizes that range from 14,104 to 21,150 square feet of land area, and they are located from 0.37 to 0.86 of a mile from the subject property. The comparables are improved with two-story dwellings with stucco, stucco and masonry, or frame, masonry and stucco exterior construction. The dwellings are from 86 to 111 years old and contain from 4,235 to 5,081 square feet of living area. Each comparable has a full basement that is partially finished, central air conditioning, from one to three fireplaces, and a garage, either two-car or three car. One comparable also has a pool.

The appraiser analyzed the three comparable sale properties in order to make adjustments to their sale prices for differences from the subject property. After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sale prices. The largest adjustments were for differences in sale date and living area. One of the comparable sales also received large adjustments for having a pool and a remodeled kitchen and bathrooms. As a result, the adjusted sale prices of the comparable properties ranged from \$1,026,700 to \$1,305,500 or from \$231.29 to \$308.26 per square foot of living area, land included. On the basis of these three comparable sales, the appraiser concluded that under the market approach to value the subject property had an estimated market value of \$1,225,000.

The appellant's appraiser gave more emphasis to the sales comparison approach to value and concluded that the subject property had a market value of \$1,225,000 as of January 1, 2009.

The appellant's attorney requested that subject's assessment be calculated by applying the 9.06% median level of assessments for Class 2 residential property in Cook County to the estimate of market value contained in the appraisal report.<sup>3</sup> Based on this record, counsel requested the subject's total assessment be reduced to \$110,985.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$122,500 was disclosed. The subject's assessment reflects a market value of \$1,376,404 or \$292.67 per square foot of living area, land included, using the 2009 three year median level of assessments for Class 2 property in Cook County of 8.90% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(2)).

The board of review presented descriptions and assessment information on four equity comparables. The board of review also provided a list of twenty properties that sold from July 1990 to September 2009 for prices that ranged from \$190,000 to \$2,575,000; however, no descriptive data was given for these sale properties. 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 failed to address substantively the appellant's market value argument.

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 supports 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

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<sup>3</sup> The appellant is relying on a preliminary three year median level of assessment on class 2 property in Cook County for 2009. The final three-year median level of assessment on class 2 property in Cook County for 2009 was 8.90%.

the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

In this appeal, the Board finds that the board of review presented no substantive or descriptive market value evidence. The Board gives no weight to the equity evidence submitted by the board of review as it is not responsive to the appellant's appeal. The board of review did provide a list of twenty sale properties but no descriptive data was given for these properties.

The Board finds the appellant's appraisal report is the best evidence of the subject's market value as of the January 1, 2009 assessment date. The appraiser estimated a market value of \$1,225,000 or \$260.47 per square foot of living area, land included, for the subject property as of January 1, 2009. The subject's assessment reflects a market value of \$1,376,404 or \$292.67 per square foot of living area, land included, using the 2009 three year median level of assessments for Class 2 property in Cook County of 8.90% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code §1910.50(c)(2)). The subject's market value as reflected by its assessment is in excess of the market value estimate contained in the appraisal report.

Based on this record the Board finds the subject property had a market value of \$1,225,000 as of January 1, 2009. Since market value has been determined the 2009 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.90% 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.



Chairman



Member



Member



Member



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 21, 2014



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.