



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

APPELLANT: Stephen Levy
DOCKET NO.: 09-32329.001-R-1
PARCEL NO.: 04-10-201-041-0000

The parties of record before the Property Tax Appeal Board are Stephen Levy, 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 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: \$9,735
IMPR.: \$54,205
TOTAL: \$63,940**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 2-story dwelling of frame and masonry construction containing 2,606 square feet of living area. The dwelling is 48 years old. Features of the home include a full basement with finished area¹, central air conditioning, a fireplace and a 2-car garage. The property has a 14,977 square foot site and is located in Northbrook, Northfield Township, Cook County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$600,000 as of January 1, 2009. The appraisal was prepared by Audrey Clamage of Metropolitan Appraisal Group and Consultants, Inc., a State of Illinois Certified General Real Estate Appraiser. In estimating the market value of the subject property the appraiser developed the cost and the sales comparison approaches to value.

Under the cost approach the appraiser estimated the subject had a site value of \$225,000. The appraiser estimated the replacement cost new of the improvements to be \$674,930. The appraiser estimated depreciation to be \$98,342 resulting in a depreciated

¹ In the appraisal report, the appraiser claims the basement is finished and includes a bathroom. The board of review claims the basement is unfinished.

improvement value of \$576,588. According to the appraiser, the site improvements were included in the improvement value. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$801,600 under the cost approach to value.

Using the sales comparison approach the appraiser provided information on four comparable sales described as 2-story dwellings of masonry, frame, or frame and masonry construction that ranged in size from 1,571 to 2,316 square feet of living area. The dwellings range in age from 45 to 51 years old. Features of the comparables include full or partial basements with finished area, central air conditioning, fireplaces and 2-car garages. The sizes of the comparables sites were not disclosed in the appraisal report. The comparables sold from May to October 2008 for prices ranging from \$502,000 to \$620,000 or from \$240.79 to \$394.65 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject the appraiser estimated the comparables had adjusted prices ranging from \$540,400 to \$661,750 or from \$255.15 to \$421.23 per square foot of living area, including land. Based on this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$600,000 or \$230.24 per square foot of living area.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach to value and estimated the subject property had a market value of \$600,000 or \$230.24 per square foot of living area including land as of January 1, 2009. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$63,940 was disclosed. The subject's assessment reflects a market value of \$718,427 or \$275.68 per square foot of living area, including land, when applying 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% as determined by the Illinois Department of Revenue.

In support of the subject's assessment the board of review submitted information on one comparable sale improved with a 2-story dwelling of frame construction containing 2,971 square feet of living area. The dwelling is 52 years old. The comparable is on a crawl-space foundation and features central air conditioning and a 2½-car garage. The comparable has a site containing 33,149 square feet of land area. The comparable has the same neighborhood code as the subject property. The comparable sold in February 2008 for \$615,000 or for \$207.00 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant takes issue with the board of review comparable.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds no reduction in the subject's assessment is warranted.

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); 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 appellant has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value in the record to be the comparable sales submitted by the appellant's appraiser and adjusted for differences with the subject. However, the Board takes issue with the appraiser's value conclusion based upon these comparables. The Board finds the adjusted sale prices of the four comparables range from \$255.15 to \$421.23 per square foot of living area including land. The appraiser valued the subject at \$230.24 per square foot of living area including land, which is not within the range of the appraiser's comparables. The appraiser did not explain why the subject's fair market value would be less than the four similar comparables. Therefore the Board gave little weight to the value conclusion in the appraisal report.

The Board instead analyzed the four adjusted sales in the appraisal report. The Board gave little weight to the board of review comparable sale due to significant unadjusted differences in exterior construction and foundation. The four adjusted sales submitted by the appellant sold from May to October 2008. The appraiser made reasonable adjustments for differences between the comparables and the subject. The adjusted sale prices of the comparables ranged from \$540,400 to \$661,750 or from \$255.15 to \$421.23 per square foot of living area, including land. The subject's assessment reflects a market value of \$718,427 or \$275.68 per square foot of living area, including land, which is within, and on the low end of the range established by these comparables on a per square foot basis. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not 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

Mark Morris

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: June 21, 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.