



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

APPELLANT: Doris Sternberg
DOCKET NO.: 09-33090.001-R-1
PARCEL NO.: 05-08-303-003-0000

The parties of record before the Property Tax Appeal Board are Doris Sternberg, the appellant, by attorney Richard D. Worssek of Worssek & Vihon 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: \$ 68,880
IMPR.: \$ 247,070
TOTAL: \$ 315,950**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame and masonry construction. The dwelling is approximately 46 years old and contains 4,507 square feet of living area. Features of the home include a partial finished basement, central air conditioning, a fireplace, and a two-car garage. The subject property is located in Glencoe, New Trier Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process and overvaluation. In support of the overvaluation argument, the appellant submitted an appraisal report in which a market value of \$3,550,000 or \$787.66 per square foot of living area, land included, was estimated for the subject property as of January 1, 2009.¹ The appraiser developed only the sales comparison approach in order to estimate the market value of the subject property. The appraiser considered three comparable properties that sold from October 2007 to May 2008 for prices that ranged from \$1,880,000 to \$3,900,000 or from \$422.98 to \$886.16 per square foot of living area, land included.

¹ In the appraisal report, the appraiser listed the subject's story height as one and one-half; however, the appraiser presented no evidence in support of this claim. As part of the appraisal, the appraiser provided a copy of a report from a real estate property database, which indicated the subject consists of two stories. In the appellant's assessment equity grid analysis, the subject property's story height is also listed as being two-story.

The three comparable sale properties have lot sizes that range from 20,290 to 30,449 square feet of land area, and they are located from 0.12 of a mile to 3.05 miles from the subject property. According to the appraiser, comparable sale #1 has a lakefront location like the subject, but comparable sales #2 and #3 do not have lakefront locations. The comparables are improved with one and one-half or two-story masonry or frame dwellings that are from nine to sixty-six years old and contain from 4,401 to 6,265 square feet of living area. Two comparables have full finished basements, and one has a partial unfinished basement. Each comparable has a garage, central air conditioning, and from one to five fireplaces.

The appraiser analyzed the three comparable sale properties and made adjustments to their sale prices to account for differences from the subject property. The largest adjustments were for differences in location, site size, exterior construction, condition, and kitchen finish. The adjusted sale prices ranged from \$2,799,875 to \$3,547,950 or from \$504.09 to \$806.17 per square foot of living area, land included. Because of the large adjustments given to comparables #2 and #3, the appraiser gave primary emphasis to comparable sale #1. As a result, the appraiser concluded that the subject property had a market value of \$3,550,000 or \$787.66 per square foot of living area, land included, as of January 1, 2009.

In support of the inequity argument, the appellant submitted information on twelve suggested comparable properties described as two-story dwellings of stucco, masonry, or frame and masonry construction. One of the twelve comparable properties has the same assigned neighborhood code as the subject. The comparable dwellings are from one to sixty-one years old and contain from 4,091 to 4,894 square feet of living area. Each comparable has a garage, central air conditioning, and from one to four fireplaces. One comparable has a slab foundation; four comparables have unfinished basements, either full or partial; and seven comparables have finished basements, either full or partial. The comparables have improvement assessments ranging from \$16,423 to \$282,184 or from \$3.66 to \$68.45 per square foot of living area. The subject's improvement assessment is \$325,126 or \$72.14 per square foot of living area.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$314,800 (\$68,880 for land and \$245,920 for the improvement).

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$394,006 was disclosed. The subject's assessment reflects a market value of \$4,427,034 or \$982.26 per square foot of living area, including land, when applying the 2008 three year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 8.9% as determined by the Illinois Department of Revenue.

The board of review presented descriptions and assessment information on four suggested comparable properties consisting of two-story dwellings of masonry or frame and masonry construction. The comparable properties have the same assigned neighborhood code as the subject. The dwellings are from 40 to 55 years old and contain from 4,004 to 4,908 square feet of living area. Each comparable has a garage and one or two fireplaces. Three comparables have central air conditioning. One comparable has a slab foundation; two comparables have unfinished basements, either full or partial; and one comparable has a full finished basement. These properties have improvement assessments ranging from \$280,338 to \$378,152 or from \$67.07 to \$77.05 per square foot of living area.

The only market value evidence submitted by the board of review was a listing of seventeen sales which occurred from 1990 through 2009 for prices ranging from \$1,125,000 to \$6,400,000. This data lacked descriptive information for these properties (e.g., age, design, exterior construction, dwelling size, and/or features). Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney argued that the appellant's comparables were located within 0.6 of a mile from the subject property. Furthermore, counsel stated that the board of review had not submitted any market value evidence.

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 (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 warranted.

The Board finds that the board of review presented no substantive or descriptive market value evidence in response to the appellant's overvaluation argument. The board of review did produce a list of seventeen sale properties but did not provide any descriptive evidence for these properties. This lack of descriptive evidence prevented an analysis to determine how similar these sale properties were to the subject property.

The Board finds the appellant's appraisal report is the only evidence of the subject's market value in the record as of the January 1, 2009 assessment date. The appraiser estimated a

market value of \$3,550,000 or \$787.66 per square foot of living area, land included, for the subject property as of January 1, 2009. The board of review did not refute the market value estimate contained in the appraisal report. The subject's assessment of \$394,006 reflects a market value of \$4,427,034 or \$982.26 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. 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 8.9% shall apply. (86 Ill.Admin.Code §1910.50(c)(1)/(2)).

Based on the reduction granted in the market value finding, the Board finds a further reduction in the subject's assessment based on assessment inequity is not warranted.

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: August 23, 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.