



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

APPELLANT: Tom Temple
DOCKET NO.: 10-26509.001-R-1 through 10-26509.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Tom Temple, the appellant, by attorney Robert M. Sarnoff of Sarnoff & Baccash 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-26509.001-R-1	05-06-406-045-0000	28,480	233,661	\$262,141
10-26509.002-R-1	05-06-406-056-0000	2,859	0	\$2,859

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 2010 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 property consists of a two-story dwelling of masonry construction with 6,062 square feet of living area. The dwelling is 13 years old. Features of the home include a full

finished basement, central air conditioning, four fireplaces and a three-car garage. The property has two parcels that total 22,255 square feet of land area and is located in Glencoe, New Trier Township, Cook County.¹ The subject is classified as a class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$2,350,000 as of January 1, 2010.

The appellant's evidence included the 2010 Cook County Board Of Review final notice of assessment for the subject property totaling \$265,000. The subject's assessment reflects a market value of \$2,650,000 or \$437.15 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables from the subject's neighborhood, one of which sold in February 2009 for \$2,925,000.

The board of review's submission included a list of 40 sales from the subject's neighborhood that occurred from January 1990 to December 2008 for prices ranging from \$1,300 to \$5,200,000.

The appellant submitted a rebuttal brief critiquing the board of review submission.

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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

¹ The parties differ as to the size of the subject lot, the subject's dwelling size and whether the subject's basement is finished.

As an initial matter regarding the subject's lot size, the Board finds the board of review failed to submit the property record card for parcel number 05-06-406-056-0000. The Board finds the appellant failed to complete Section III- Description of Property of the appeal form. The only evidence of the total land size of the subject property is within the appellant's appraisal disclosing the subject has a total of 22,255 square feet of land area; however, the appraisers acknowledged the subject's lot dimensions were "N/A Subject to Survey." Therefore, for the purposes of this appeal, the Board finds the subject's total lot size is 22,255 square feet of land area. The Board finds the best evidence of the subject dwelling's size is the sketch of the dwelling within the appellant's appraisal disclosing the subject dwelling has 6,062 square feet of living area. The Board finds the best evidence of whether the subject has a finished basement is the photographic evidence within the appellant's appraisal depicting the subject's finished basement area.

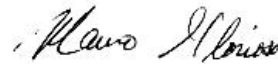
The Board gave less weight to the value conclusion arrived at from the appellant's appraisal. The Board finds the appellant's appraisers selected five suggested comparables, three of which are over 1,000 square feet smaller than the subject. In addition, appraisal comparable #1 is 86 years old, when compared to the subject's 13 years of age. Furthermore, the Board finds the board of review's comparable #3 is located more proximate to the subject's location than the comparables selected by the appellant's appraisers, with no explanation as to why this comparable was not selected. The appellant's rebuttal argues the board of review's sales are not adjusted for time of sale, size, market conditions or other variables, however, the Board finds appraisal comparable #4 sold two months after the board of review's comparable #3 and no adjustment was made for this comparable in the appraisal.

The Board finds the best sale comparables in this record are the appellant's appraisal comparables #3 and the board of review's comparable #3. These sales occurred in February 2009 and September 2009 for prices of \$2,925,000 and \$2,400,000 or \$513.79 and \$436.36 per square foot of living area including land, respectively. The subject's assessment reflects a market value of \$2,650,000 or \$437.15 per square foot of living area, including land, which is supported by the best sales in this record. The Board gave less weight to the appellant's appraisal comparable #1 due to its significantly older age, when compared to the subject. In addition, this comparable is over 900 square feet larger than the subject. The Board gave less weight to the

appellant's appraisal comparables #2, #4 and #5 due to their considerably smaller sizes, when compared to the subject. The Board finds the equity comparables presented by the board of review are not responsive to the overvaluation argument made by the appellant. The Board gave less weight to the board of review's list of 40 sales from the subject's neighborhood due to their sale dates occurring greater than 12 months prior to the January 1, 2010 assessment date at issue. Based on the sales data in this appeal and adjusting the best comparables for differences when compared to the subject, such as location, lot size, age and features, the Board finds 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.

Chairman



Member

Member



Member

Acting Member



Acting 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: December 18, 2015



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.