



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

APPELLANT: Alexander Berman  
DOCKET NO.: 11-21442.001-R-2  
PARCEL NO.: 05-08-103-019-0000

The parties of record before the Property Tax Appeal Board are Alexander Berman, the appellant, by attorney George J. Relias, of Relias & Tsonis, LLC in Chicago; the Cook County Board of Review; and the Glencoe S.D. #35 and New Trier Twp. H.S.D. #203, intervenors, by attorney Scott L. Ginsburg of Robbins Schwartz Nicholas Lifton Taylor in Chicago.

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:** \$ 81,856  
**IMPR.:** \$ 89,439  
**TOTAL:** \$ 171,295

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 2011 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 consists of a two-story, single-family dwelling of frame and masonry construction with 6,914 square feet of living area. The dwelling is 22 years old. The property has a 50,373

square foot site, and is located in New Trier Township, Cook County. 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 evidence disclosing the subject property was purchased on June 29, 2011 for a price of \$1,805,000. Real estate brokers were involved in this transaction, with the parties being unrelated to each other. The appellant included a copy of an executed contract, settlement statement, and Trustee's Deed as evidence the transaction was arm's-length. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$282,362. The subject's assessment reflects a market value of \$2,975,364, or \$430.34 per square foot of living area, including land, when applying the 2011 three year average median level of assessment of 9.49% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables, all of which contained sales data. They sold from June 2008 through July 2010 for prices ranging from \$2,500,000 to \$3,350,000, or from \$334.62 to \$644.48 per square foot, including land. Based on this evidence, the board requested confirmation of the subject's assessment.

In support of its contention of the correct assessment, the intervenors submitted information on eight sale comparables located in Glencoe, supported by Multiple Listing Service printouts. They sold from March 2008 through November 2010 for prices ranging from \$2,990,000 to \$3,675,000, or from \$491.17 to \$713.66 per square foot, including land. They argued that the sale of the subject is an outlier, therefore, the claimed sale price is suspect. The intervenors provided no further evidence that the sale of the subject was a distressed sale, however. Based on this evidence, the intervenors requested confirmation of the subject's assessment.

#### **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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in 2011 for a price of \$1,805,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant disclosed the property was sold using realtors and the parties were unrelated. It was also advertised for sale using the Multiple Listing Service. In further support of the transaction, the appellant submitted a copy of the executed contract, settlement statement, and deed. The Board finds that the board of review and intervenors did not present any evidence to challenge the arm's length nature of the transaction. Additionally, they did not provide any evidence that this transaction was a distressed sale.

Based on this record the Board finds the subject property had a market value of \$1,805,000 as of January 1, 2011. Since market value has been determined, the 2011 three-year median level of assessment of 9.49% for class 2 property 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.

\_\_\_\_\_  
Chairman

*K. L. Fan*

*Mario Alvino*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

*JR*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Acting Member

*Robert Hoffmann*

\_\_\_\_\_  
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: February 19, 2016

*A. Proctor*

\_\_\_\_\_  
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.