



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

APPELLANT: Steve & Laura Simberg
DOCKET NO.: 12-22738.001-R-1
PARCEL NO.: 05-07-110-048-0000

The parties of record before the Property Tax Appeal Board are Steve & Laura Simberg, the appellants, by attorney Christopher G. Walsh, Jr., Attorney at Law in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$ 31,615
IMPR.: \$175,692
TOTAL: \$207,307

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2012 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 is a one year-old, two-story dwelling of masonry construction containing 6,010 square feet of living area. Features of the home include a full finished basement, central air conditioning, two fireplaces and a three-car garage. The property has a 22,993 square foot site and is located in New Trier Township, Cook County. The property is a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information that the assessment of the dwelling should be \$175,692. The appellants provided information in Section VI—Recent Construction Information on Your Residence of the Residential Appeal petition that disclosed the dwelling was newly constructed in 2011 for a construction cost of \$1,756,918. In support of this contention, the appellants submitted copy of a Sworn Statement for Contractor and Sub-Contractor to Owner. This

Statement was an affidavit signed and notarized. It disclosed that various contractors and sub-contractors submitted a schedule of work completed for a final contract amount of \$1,756,918 for new construction of the dwelling on June 6, 2011. It also disclosed that \$1,733,354 of that amount had been previously paid and that there was a zero balance to become due after the balance of \$23,564 was paid.

The appellants requested a total assessment reduction to \$207,307, \$31,615 of which is for land and \$175,692 of which is for the dwelling, when applying the 2012 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$237,337. The subject property has an improvement assessment of \$205,722, or \$34.23 per square foot of living area. The subject's assessment reflects a market value of \$2,373,370, or \$394.90 per square foot of living area including land, when applying the 2012 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on four suggested sales comparables.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of the dwelling to be the appellants' evidence of construction costs. 86 Ill.Admin.Code §1910.63(c)(3). That evidence consisted of an affidavit of total new dwelling construction costs of \$1,756,918. There is no evidence in the record to rebut the construction costs. The only evidence submitted by the board of review was four sales comparables. Consequently, the Board finds the market value of the subject property to be \$2,073,070. Based on this evidence, the Board finds a reduction in the subject's assessment is 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

DISSENTING: _____

CERTIFICATION

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: September 23, 2016



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.