



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

APPELLANT: Mary Schramm
DOCKET NO.: 12-24937.001-R-1
PARCEL NO.: 05-27-400-127-0000

The parties of record before the Property Tax Appeal Board are Mary Schramm, the appellant, by attorney Kevin B. Hynes of O'Keefe Lyons & Hynes, LLC 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 **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: \$4,188
IMPR.: \$46,451
TOTAL: \$50,639

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 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 consists of a two-story townhome of frame and masonry construction. The dwelling is approximately 39 years old and has 2,010 square feet of living area. Features of the home include a full finished basement, central air conditioning and two fireplaces. The property has a 2,295 square foot site and is located in Wilmette, New Trier Township, Cook County. The subject is classified as a class 2-95 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. In support of the inequity argument, the appellant submitted information on two equity comparables. In support of the overvaluation argument, the appellant submitted a sale price for one of these comparables. Comparable #1 sold in May 2012 for a price of \$490,000 or for \$250.00 per square foot of living area, land included. The appellant's evidence disclosed that

comparable #2 was a pending sale. Based on this evidence, the appellant requested a reduction in the appellant's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$50,639. The subject's assessment reflects a market value of \$506,390 or \$251.94 per square foot of living area, when applying the 10% level of assessment for class 2 residential properties 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 equity comparables. The board of review also presented four comparable sales that sold from March 2009 to June 2011 for prices that ranged from \$480,000 to \$675,000 or from \$279.88 to \$309.49 per square foot of living area, land included. The board of review's equity comparable #2 was the same property as the appellant's comparable #2. The board of review's equity grid analysis disclosed this property sold in November 2012 for a price of \$365,000 or for \$181.59 per square foot of living area, land included.

The appellant's attorney submitted a rebuttal brief, wherein counsel argued that the board of review had only addressed the appellant's equity argument.

Conclusion of Law

The appellant contends in part that 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 based on overvaluation is not warranted.

The Board considered the comparable sales presented by the parties. The Board finds the best evidence of market value to be the appellant's comparable sales and board of review comparable #4.¹ These three properties sold proximate to the assessment date and were very similar to the subject in nearly every characteristic. These comparables sold from June 2011 to November 2012 for prices that ranged from \$181.59 to \$279.88 per square foot of living area, land included. The subject's assessment reflects a market value of \$251.94 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment based on overvaluation is not justified.

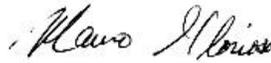
The taxpayer also contends assessment inequity as an alternate basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment

¹ The appellant did not provide a sale price for comparable #2; however, the board of review's equity grid analysis revealed this property sold in November 2012 for a price of \$181.59 per square foot of living area, land included.

comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment based on inequity is not warranted on this basis.

The parties submitted information on a total of five suggested equity comparables. The board of review's equity comparable #2 was the same property as the appellant's comparable #2. The Board finds that board of review comparable #3 differed from the subject in foundation and received reduced weight in the Board's analysis. The Board finds the best evidence of assessment equity to be the appellant's comparables and board of review comparable #1 and #4. These comparables were located in the same tax block as the subject and were similar to the subject in story height, age, living area and foundation. These comparables had improvement assessments that ranged from \$21.60 to \$27.17 per square foot of living area. The subject's improvement assessment of \$23.11 per square foot of living area falls within the range established by the best comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment based on inequity is not justified on this basis.

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

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: June 24, 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.