



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

APPELLANT: Scott & Jenifer Carnow
DOCKET NO.: 15-23596.001-R-1
PARCEL NO.: 14-30-217-039-0000

The parties of record before the Property Tax Appeal Board are Scott & Jenifer Carnow, the appellants, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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: \$15,625
IMPR.: \$64,875
TOTAL: \$80,500

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 2015 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 frame construction. The dwelling is approximately 17 years old and has 2,596 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 property has a 3,125-square foot site and is located in Chicago, Lake View Township, Cook County. The property is a class 2-78 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 an appraisal report, dated February 9, 2016, estimating the subject property had a market value of \$805,000 as of January 1, 2015. The appraiser developed the sales comparison approach for estimating the market value of the subject property. The appraiser considered four comparable properties that sold from July 2014 to October 2015 for prices that

ranged from \$727,500 to \$912,500 or from \$259.82 to \$314.66 per square foot of living area, land included. The appraiser provided a sales comparable map which revealed the comparables were located in the same general area as the subject property. The comparables have sites of either 1,423 or 3,125 square feet of land area. The comparable properties are improved with two-story dwellings. The dwellings were constructed from 2006 to 2014 and range in size from 2,600 to 3,000 square feet of living area. After identifying differences between the comparable properties and the subject, the appraiser made qualitative adjustments to the sale prices for differences in building size, land area, above grade layout and age/condition. After comparing the subject to the comparable properties, the appraiser concluded the subject property had a market value of \$310 per square foot of living area or \$805,000 (rounded) as of January 1, 2015. Based upon the appraisal, the appellants requested that the subject's total assessment be reduced to \$80,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$102,903. The subject's assessment reflects a market value of \$1,029,030 or \$396.39 per square foot of living area, land included, 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 comparables that sold from May to November 2013 for prices that ranged from \$1,045,000 to \$1,417,465 or from \$373.08 to \$525.25 per square foot of living area, land included. The comparable sales have the same assigned classification and neighborhood codes as the subject. The comparables have sites of either 3,000 or 3,125 square feet of land area. The comparables are improved with two-story dwellings of frame or masonry construction. The dwellings are from four to sixteen years old and contain from 2,356 to 2,914 square feet of living area. Each comparable has a full finished basement, central air conditioning and one or two fireplaces. Three comparables have a two-car garage. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants' attorney asserted that the board of review had submitted "raw/unconfirmed sales data." Counsel also noted the differences between the subject and the board of review comparable sales.

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 market value in the record to be the appraisal submitted by the appellants. The appellants' appraiser estimated the subject property had a market value of \$805,000 as of January 1, 2015. The appraiser analyzed four comparable sales that occurred from July 2014 to October 2015 to arrive at an estimate of the subject's market value. The Board

finds the appraiser made logical adjustments to arrive at a final conclusion of value. The subject's assessment reflects a market value above the best evidence of market value in the record.

The Board finds the board of review was not able to adequately refute the market value conclusion contained in the appellants' appraisal report. The board of review submitted four comparable sales but made no adjustments to the sale prices for differences from the subject in age, living area, garages and date of sale. More importantly, the board of review sales occurred in 2013 and were not as proximate to the January 1, 2015 assessment date as the comparable sales analyzed in the appraisal report. Consequently, the Board gave little weight to the board of review's market value evidence. The Board finds that a reduction in the subject's assessment commensurate with the appellants' request 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



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: July 17, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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