



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

APPELLANT: Gregory Gulik
DOCKET NO.: 15-32503.001-R-1
PARCEL NO.: 17-04-219-073-0000

The parties of record before the Property Tax Appeal Board are Gregory Gulik, the appellant, by attorney Michael 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 **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: \$27,625
IMPR.: \$60,251
TOTAL: \$87,876

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 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, single-family dwelling of masonry construction. The dwelling is approximately 19 years old and has 2,126 square feet of living area. Features of the home include a full finished basement, central air conditioning, a fireplace and a two-car garage. The property has a 3,250-square foot site and is located in Chicago, North Chicago Township, Cook County. The property is a class 2-78 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 report, dated January 18, 2016, estimating the subject property had a market value of \$710,000 as of January 1, 2015. The appraiser developed the sales comparison approach for estimating the market value of the subject property. Under the sales comparison approach, the appraiser considered five comparable properties that sold from April

2014 to December 2015 for prices that ranged from \$862,500 to \$935,000 or from \$312.61 to \$336.45 per square foot of building area, land included.¹ Based upon a map provided by the appraiser, two of the comparables were located in close proximity to the subject property, and three of the comparables were located in the same general area as the subject property. The comparables have sites that range from 2,773 to 3,250 square feet of land area. The comparable properties are improved with two-story dwellings; however, the appraiser provided limited and contradictory information regarding the dwellings. The comparable dwellings range in age from 14 to 22 years old and contain from 2,600 to 2,850 square feet of building area. However, on page 40 of the appraisal report, comparable #3 was described as having 2,236 square feet of building area and a sale price per square foot of \$393.56. On page 43, comparable #3 was listed as having 2,815 square feet of building area and a sale price per square foot of \$312.61. The appraiser did not provide information regarding the comparables' exterior construction and features such as foundation, below-grade finished area, central air conditioning, fireplaces, and garages, if any. After identifying differences between the comparable properties and the subject, the appraiser made percentage adjustments to the sale prices for differences in age/condition, land area and building size. The appraiser determined that the adjusted sale prices of the comparable properties ranged from \$314.17 to \$336.71 per square foot of building area, land included. As a result, the appraiser concluded the subject property had a market value of \$335 per square foot of building area or \$710,000, rounded, as of January 1, 2015. Based upon the appraisal, the appellant requested that the subject's total assessment be reduced to \$71,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$87,876. The subject's assessment reflects a market value of \$878,760 or \$413.34 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 comparable sales that sold from May 2014 to November 2015 for prices that ranged from \$881,500 to \$1,350,000 or from \$350.36 to \$563.91 per square foot of living area, land included. Two of the four comparable sales were also analyzed in the appraisal report. Board of review comparable #1 is the same property as the appraiser's comparable #1, and board of review comparable #4 is the same property as the appraiser's comparable #5. However, the board of review reported different living areas for these two comparables.² The board of review comparables have the same assigned neighborhood and classification codes as the subject. One of the comparables was described as being located on the same block as the subject, and two other comparables were located one-quarter mile from the subject. The comparables have sites that range from 2,773 to 3,531 square feet of land area. The comparables are improved with two-story dwellings of frame or masonry construction. The dwellings range in age from 12 to 19 years old and contain from 2,126 to 2,516 square feet of living area. Each comparable has a full

¹ When discussing the comparables, the appraiser used the term "building area" instead of living area. The appraiser stated the source for information about the comparables came from "MLS comps." The appraiser did not explain if the term "building area" included below-grade finished area.

² With the "Notes on Appeal," the board of review reported listed comparable #1 as having 2,516 square feet of living area, not the 2,620 square feet of building area reported by the appraiser. The board of review listed comparable #4 as having 2,126 square feet of living area, not the 2,850 square feet of building area reported by the appraiser.

basement, two of which have finished area. Each comparable has central air conditioning and a two-car garage, and two comparables have a fireplace. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney asserted the board of review had submitted three comparables with sale dates that occurred after the January 1, 2015 assessment date: "Taxpayer objects to respondent's sales comparable #2, 3 and 4 because these sales comps sold after the effective lien date of January 1, 2015. As a result, taxpayer requests that Property Tax Appeal Board place little or no weight to the respondent's sales comp #2, 3 and 4."

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.

In this appeal, the appellant submitted an appraisal report that utilized the sales comparison approach to value. The appraiser analyzed five comparable sales that occurred from April 2014 to December 2015 for prices that ranged from \$862,500 to \$935,000 or from \$312.61 to \$336.45 per square foot of building area, land included. The Board finds the appraiser submitted contradictory evidence for one of these comparables. On page 40 of the appraisal report, comparable #3 was listed as having **2,236** square feet of living area and a sale price of **\$393.56** per square foot. However, in the summary of sales comparison data on page 43, this comparable is listed as having **2,815** square feet of living area and a sale price of **\$312.61** per square foot. When the appraiser analyzed the sales data, comparable #3's sale price of \$312.61 per square foot was the lowest of the five comparable sales. Using the figure provided on page 40, comparable #3's sale price per square foot would have been at the high end of the range. The Board finds that two of the appraiser's comparables were also used by the board of review on the grid analysis provided with the "Notes on Appeal." Although the parties reported the same sale prices for these two comparables, the board of review indicated the two comparables had much less living area than what was reported by the appraiser. The appraiser reported that comparable #1 (located at 350 W. Scott Street in Chicago) had **2,620** square feet of building area and a sale price of **\$336.45** per square foot, but the board of review listed the dwelling as having **2,516** square feet of living area and a sale price of **\$350.36** per square foot. The appraiser reported that comparable #5 (located at 339 W. Goethe Street in Chicago) had **2,850** square feet of building area and a sale price of **\$328.07** per square foot, but the board of review listed the dwelling as having **2,126** square feet of living area and a sale price of **\$439.79** per square foot. The Board finds the appraiser used five comparables with sale prices that ranged from \$862,500 to \$935,000 to arrive at an estimate of value for the subject property of \$710,000. To accomplish that, the appraiser used sale prices per square foot from dwellings that were described as having significantly more building area than the subject. However, the Board finds that the discrepancies regarding three of the five comparables analyzed by the appraiser undermine the credibility of the estimate of value contained in the appraisal report. As a result, the Board has

given diminished weight to the conclusion contained in the appellant's appraisal and has instead examined the raw sales presented by both parties.

In rebuttal, the appellant's attorney requested the Board give little or no weight to board of review comparable sales #2 through #4, due to their 2015 sale dates. However, the Board finds two of the appraiser's comparable sales also had 2015 sale dates. The appraiser's comparable #4 sold in September 2015 and comparable #5 sold in December 2015. Moreover, the appraiser's comparable #5 was the same property as board of review comparable #4. The Board finds that all of the comparables submitted by the parties sold proximate to the January 1, 2015 assessment date.

The Board considered the seven comparable sales submitted by the parties. The Board gave less weight to the appraiser's comparable sales. The appraiser provided limited and sometimes contradictory information regarding these comparables, which prevents a meaningful analysis to determine how truly comparable they were to the subject property. The Board finds the best evidence of market value in the record to be board of review comparable #4. This property was located on the same block as the subject and was nearly identical to the subject property in all characteristics, differing only in exterior construction. Although board of review comparable #4 was also used as a comparable by the appraiser, the Board finds the board of review's evidence regarding this comparable to be more complete and more persuasive. As further support, the Board finds board of review comparables #1 through #3 were also similar to the subject in location, story height, living area and features such as full basements, central air conditioning, and two-car garages. As a group, the board of review comparables sold from May 2014 to November 2015 for prices that ranged from \$881,500 to \$1,350,000 or from \$350.36 to \$563.91 per square foot of living area, land included. The subject's assessment of \$87,876 reflects a market value of \$878,760 or \$413.34 per square foot of living area, land included, which falls within the range established by the best comparable sales in the record on a square foot basis. Based upon the evidence in the record, 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. 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: June 19, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Gregory Gulik, by attorney:
Michael Elliott
Elliott & Associates, P.C.
1430 Lee Street
Des Plaines, IL 60018

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602