



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

APPELLANT: Joni Stern, JES Development
DOCKET NO.: 15-39573.001-R-1
PARCEL NO.: 14-28-203-011-0000

The parties of record before the Property Tax Appeal Board are Joni Stern, JES Development, the appellant, by William I. Sandrick, of Sandrick Law Firm LLC in South Holland; 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: \$26,053
IMPR.: \$174,910
TOTAL: \$200,963

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 three-story dwelling of masonry construction with 6,120 square feet of living area. The dwelling was constructed in 2006. Features of the home include a full finished basement, central air conditioning, four fireplaces and a two-car garage.¹ The property has a 4,512 square foot site and is located in Chicago, Lake View Township, Cook

¹ The parties differ slightly as to the size of the subject dwelling, the story height of the subject dwelling, the number of fireplaces and whether the subject has a garage. The Board finds the appraisal did not include a sketch of the subject or photographs of areas above the third floor, so the Board will recognize the square footage and story height disclosed by the board of review. However, the appraisal included photographs of the subject's garage and acknowledgement that an inspection was made by the appellant's appraiser, therefore, the Board finds the subject has a two-car garage and four fireplaces.

County.² 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 an appraisal estimating the subject property had a market value of \$1,400,000 as of January 1, 2012. The appellant's appraiser selected three comparables that were located from .98 of a mile to 1.08 miles from the subject property. The comparables were two or three-story dwellings containing 4,200 or 4,500 square feet of living area. One comparable was 122 years old. The comparables sold from April 2011 to April 2012 for prices ranging from \$1,141,000 to \$1,237,500 or from \$271.67 to \$285.71 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$200,963. The subject's assessment reflects a market value of \$2,009,630 or \$328.37 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales, one of which was located on the same block as the subject. The comparables were three-story dwellings of masonry construction ranging in size from 5,234 to 6,120 square feet of living area. The comparables sold from March 2012 to May 2015 for prices ranging from \$2,025,000 to \$3,250,000 or from \$330.88 to \$581.60 per square foot of living area, including land.

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.

The Board finds the best evidence of market value to be the board of review's comparable sales #2 and #4. These comparables were most similar to the subject in location, story height, age, size, features and also sold more proximate in time to the January 1, 2015 assessment date, than did the comparables selected by the appellant's appraiser. The most similar board of review comparable sales sold for prices of \$2,150,000 and \$3,250,000 or \$410.78 and \$581.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$2,009,630 or \$328.37 per square foot of living area, including land, which is supported by the best comparable sales in the record. The Board gave less weight to the value conclusion from the appellant's appraisal due to its effective date occurring 35 months prior to the January 1, 2015 assessment date. In addition, the Board gave less weight to the raw sales data from the

² The parties also differ slightly as to the size of the subject's lot. The appellant's appraisal included a copy of the subject's plat map revealing a lot size for the subject of 4,512 square feet of land area.

appellant's appraisal due to the sales occurring in 2011 and 2012, which would be less probative of the subject's market value as of the assessment date at issue than the sales presented by the board of review. Furthermore, two of the comparables were dissimilar two-story dwellings and the third was 122 years old, when compared to the subject's three-story style and 9 years of age. Finally, all of the appellant's appraisal comparables were significantly smaller than the subject. The Board also gave less weight to the board of review's comparables #1 and #3 due to their sale dates occurring greater than 27 months prior to the assessment date at issue. Based on this evidence in this 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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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: March 20, 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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