



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Gokhan Memik
DOCKET NO.: 16-20029.001-R-1
PARCEL NO.: 05-27-300-048-0000

The parties of record before the Property Tax Appeal Board are Gokhan Memik, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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: \$27,620
IMPR.: \$54,880
TOTAL: \$82,500

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 2016 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 improved with a 2-story stucco dwelling. The home is approximately 106 years old and contains 2,576 square feet of living area. Features include a partial unfinished basement, 2 fireplaces and a 3-car garage. The site contains 14,537 square feet of land area and is located in Wilmette, New Trier Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance (Ordinance).

The appellant contends overvaluation and contention of law as the bases of the appeal. In support of the overvaluation argument the appellant partially completed Section IV - Recent Sale Data of the appeal form indicating the subject was purchased from two individuals on May 01, 2015 for \$825,000. The sale was handled through a realtor and advertised on the Multiple Listing Service. The appellant did not disclose if the sale was between family or related

corporations or the length of time the subject was on the market. The appellant submitted a Settlement Statement and Real Estate Contract to document the sale. Based on this evidence, the appellant contends the fair market value of the subject as of the assessment date at issue is \$825,000.

The appellant also submitted a brief claiming the assessment level of the subject should be 8.16% instead of the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 2 property of 10%. In support of this claim, the appellant submitted a printout of Assessment Ratios for 2014 showing the median level of assessment for Class 2 property for New Trier Township for 2014 was 8.16% as determined by the Illinois Department of Revenue. Based on this evidence the appellant requested the subject's 2016 total assessment be reduced to \$67,320.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$82,500. The subject's assessment reflects a market value of \$825,000 or \$320.26 per square foot of living area including land using the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 2 property of 10%. In support of its contention of the correct assessment, the board of review submitted information on four comparable sales having the same neighborhood code as the subject. They are described as 2-story masonry dwellings ranging in age from 77 to 108 years old and ranging in size from 2,473 to 2,827 square feet of living area. The features have varying degrees of similarity as compared to the subject. The comparables sold from September 2014 through August 2015 for prices ranging from \$907,500 to \$1,730,000 or from \$339.58 to \$652.34 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 appellant contends the sale price of the subject in May 2015 is the subject's fair market value and further contends the assessed valuation is excessive through the use of the 2014 median level of assessment for New Trier Township of 8.16%. In support of the market value argument, the appellant partially completed Section IV - Recent Sale Data of the appeal form indicating the subject was purchased on May 01, 2015 for \$825,000. The board of review did not refute this market value argument. The board of review's total assessment of the subject of \$82,500 reflects a market value of \$825,000 when applying the Ordinance level of assessments for Class 2 property of 10%. The Board finds the best evidence of market value in the record to be the sale of the subject property in May 2015 for \$825,000.

The appellant contends the total assessment of the subject should not exceed \$67,320 based on the median level of assessment for New Trier Township for tax year 2014 of 8.16%. The Board

finds the township median level of assessment for 2014 is inappropriate in determining the assessed value in tax year 2016.

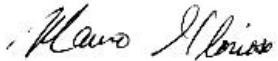
Section 1910.50 of the rules of the Property Tax Appeal Board provides in part that:

- c) The decisions of the Property Tax Appeal Board will be based on equity and the weight of the evidence...
- 2) In Cook County, for residential property of six units or less currently designated as Class 2 real estate according to the Cook County Real Property Assessment Classification Ordinance, as amended, when sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board may consider evidence of the appropriate level of assessment for property in that class. The evidence may include:
 - A) the Department of Revenue's annual sales ratio studies for Class 2 property for the previous three years; and
 - B) competent assessment level evidence, if any, submitted by the parties pursuant to this Part.

86 Ill.Admin.Code §1910.50(c)(2)(A)(B)

The Board finds the appellant did not prove by clear and convincing evidence that the subject's assessment should be lowered to reflect the application of the 2014 median level of assessment for New Trier Township. The assessment year at issue is 2016 and the appellant failed to submit any evidence establishing the county wide three-year median level of assessment for Class 2 property for the tax year at issue. Therefore, the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 2 property of 10% shall apply. The subject's assessment of \$82,500 reflects a market value of \$825,000 based on the 10% level of assessment for class 2 property in Cook County. Therefore, the Board finds no reduction in the subject's assessment is warranted.

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: _____

C E R T I F I C A T I O N

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 19, 2019



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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