



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

APPELLANT: Maxwell Rhee
DOCKET NO.: 16-20805.001-R-1
PARCEL NO.: 04-01-410-008-0000

The parties of record before the Property Tax Appeal Board are Maxwell Rhee, the appellant, by attorney Noah J. Schmidt, 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: \$15,835
IMPR.: \$72,625
TOTAL: \$88,460

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 consists of a two-story dwelling of frame and masonry construction. The dwelling is approximately 88 years old and has 3,500 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 2-car garage. The property has a 13,770 square-foot site and is located in Glencoe, New Trier Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation and assessment inequity. In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased on April 29, 2015 for a price of \$960,000 or for \$274.29 per square foot of living area, land included. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the property was purchased from an individual; the parties to the transaction were not related; the property was sold by the owner; and the property had been advertised for sale with a

multiple listing service (MLS). The appellant did not answer the question that asked how long the subject had been exposed to the market. To document the transaction, the appellant submitted a copy of the settlement statement, which revealed a commission was paid to a realty firm. In a brief that accompanied the appeal, the appellant requested that the subject's 2016 assessment be reduced to \$78,336.

In support of the inequity argument, the appellant submitted information on five equity comparables with the same classification code as the subject. Three comparables have the same neighborhood code as the subject. The comparables are improved with two-story dwellings of frame, masonry or frame and masonry construction. The dwellings are from 68 to 111 years old and contain from 3,263 to 3,604 square feet of living area. The comparables have full or partial unfinished basements. Three comparables have central air conditioning; three comparables have one or two fireplaces; and each comparable has a garage, either 2-car or 2½-car. The comparables have improvement assessments that range from \$61,629 to \$68,374 or from \$17.32 to \$20.56 per square foot of living area. The appellant did not provide a requested reduction based upon the equity evidence.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$88,460. The subject's assessment reflects a market value of \$899,898 or \$257.11 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for class 2 property of 9.83% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue. The subject property has an improvement assessment of \$72,625 or \$20.75 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables. The board of review presented descriptions and assessment information on three comparable properties that have the same neighborhood and classification codes as the subject. The comparables were described as being located either on the same block or a quarter-mile from the subject property. The comparables are improved with two-story dwellings of masonry or frame and masonry construction. The dwellings are from 63 to 89 years old and contain from 2,864 to 4,134 square feet of living area. Two comparables have full or partial finished basements, and another comparable has a partial unfinished basement. Two comparables have central air conditioning. Each comparable has a fireplace and a two-car garage. The comparable properties have improvement assessments that range from \$62,006 to \$88,046 or from \$21.05 to \$21.65 per square foot of living area. The only market evidence submitted by the board of review was the April 2015 sale of the subject property at a price of \$960,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 finds the appellant presented evidence indicating the subject property sold in April 2015 for a price of \$960,000 or for \$274.29 per square foot of living area, land included. The Board finds the subject's purchase price is higher than the market value reflected by the assessment. Based on this record, 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 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.

The parties presented assessment data on a total of eight comparables. The Board finds that none of the comparables are similar to the subject in all characteristics. The Board finds the appellant's comparables # 2 and #4 are located in a different neighborhood than the subject, and comparables #2 and #5 do not have central air conditioning like the subject. Due to these differences, the appellant's comparables #2, #4 and #5 received reduced weight in the Board's analysis. Board of review comparables #2 and #3 also received reduced weight, due to significant differences in living area, and comparable #3 lacks central air conditioning.

The Board finds the best evidence of assessment equity in the record to be the appellant's comparables #1 and #3 and board of review comparable #1. The Board finds these comparables, despite some differences in age, are generally similar to the subject in living area and all three have a basement, central air conditioning, and a garage. In addition, board of review comparable #1 was described as being located on the same block as the subject. The appellant's comparables #1 and #3 and board of review comparable #1 have improvement assessments that range from \$61,629 to \$80,347 or from \$17.32 to \$21.05 per square foot of living area. The subject's improvement assessment of \$72,625 or \$20.75 per square foot of living area falls within the range established by the three best comparables in this record. After considering adjustments to the comparables for differences from the subject, the Board finds the appellant was not able to 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.

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: August 20, 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

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

APPELLANT

Maxwell Rhee, by attorney:
Noah J. Schmidt
Schmidt Salzman & Moran, Ltd.
111 West Washington Street
Suite 1300
Chicago, IL 60602

COUNTY

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