



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

APPELLANT: Cathryn Lopez
DOCKET NO.: 16-20992.001-R-1
PARCEL NO.: 05-28-113-009-0000

The parties of record before the Property Tax Appeal Board are Cathryn Lopez, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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 **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: \$12,060
IMPR.: \$82,940
TOTAL: \$95,000

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 two-story dwelling of frame and masonry construction containing approximately 3,529 square feet of living area. The dwelling is 86 years old. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces and a 2-car garage. The site is approximately 6,700 square feet in size 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.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument the appellant completed Section IV - Recent Sale Data of the appeal form indicating the subject was purchased on November 5, 2015 for \$950,000. The sale was not between family or related corporations. The appellant contends the subject property was sold through a realtor, was advertised for sale through the Multiple Listing Service and was on the market four days.

The appellant also submitted a Settlement Statement confirming the sale date, price, and that broker's fees were distributed to on entity.

The appellant's attorney submitted a brief requesting the subject's 2016 total assessment be reduced to \$95,000 which reflects a market value of \$950,000 using the level of assessment for Class 2 property of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$101,838. The subject's assessment reflects a market value of \$1,018,380 or \$288.57 per square foot of living area, land included, when using the level of assessment for Class 2 property of 10%.

In support of the subject's assessment, the board of review submitted information on three comparable sales of two-story dwellings having the same neighborhood code as the subject but located in different cities than the subject. The comparables range in size from 3,192 to 3,384 square feet of living area and range in age from 80 to 90 years old. The comparables' features have varying degrees of similarity when compared to the subject. The sites range in size from 6,600 to 9,550 square feet of land area. The comparables sold from September 2013 to November 2014 for prices ranging from \$985,000 to \$1,130,000 or from \$291.08 to \$351.81 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 overvaluation as a basis of the appeal. 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 met this burden of proof.

The appellant completed Section IV - Recent Sale Data of the appeal form indicating the subject was purchased on November 5, 2015 for \$950,000. The sale was not between family or related corporations. The subject property was sold through a realtor, was advertised for sale through the Multiple Listing Service and was on the market four days. The Board finds the recent sale of the subject has elements of an arm's-length transaction and the sale date was proximate in time to the subject's assessment date at issue.

The Board gives little weight to the sales comparables submitted by the board of review due to their locations in different cities than the subject and sale dates not proximate in time to the subject's assessment date. Also, the board of review did not address or dispute the sale of the subject property which was also reported in its grid analysis. Based on this evidence, the Board finds the appellant proved by a preponderance of the evidence that the subject is overvalued and a reduction in the subject's assessment commensurate with the appellant's request 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: _____

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: May 21, 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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