



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

APPELLANT: Mark Dawley
DOCKET NO.: 16-21346.001-R-1 through 16-21346.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Mark Dawley, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
16-21346.001-R-1	05-07-419-033-0000	18,897	102,437	\$121,334
16-21346.002-R-1	05-07-419-035-0000	489	0	\$489
16-21346.003-R-1	05-07-419-036-0000	4,164	155	\$4,319

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 three parcels, one of which is improved with a two-story dwelling of frame construction. The dwelling is 4 years old and has 3,193 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, two fireplaces, and a two-car garage. The property's three parcels have a total of 14,720 square feet of land area. The subject property is located in Glencoe, New Trier Township, Cook County and classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal for Parcel #1.¹ In support of this argument, the appellant submitted a retrospective appraisal estimating the subject property had a market value of \$1,100,000 as of January 1, 2016. The appellant's appraisal was completed using the sales comparison approach in estimating a market value for the subject property. The appellant's appraiser selected four comparable properties that are located from .33 to 1.5 miles from the subject property. The comparables are improved with two-story, dwellings of frame, stucco, or frame and stone exterior construction ranging in size from 2,962 to 4,148 square feet of living area. The appraisal describes Comparable Sale #2 with an age of "New" whereas the MLS Listing Sheet shows the dwelling was built in 2014. The comparables have full basements, two of which have finished or partially finished areas, central air conditioning and a two-car or a three-car garage. The comparables sold from May 2015 to May 2016 for prices ranging from \$1,039,500 to \$1,245,000 or from \$271.76 to \$393.32 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted sale prices ranging from \$997,900 to \$1,182,200. The appellant's attorney requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$131,890. The subject's assessment reflects a market value of \$1,318,900 or \$413.06 per square foot of living area, including land, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted a grid analysis containing information on four comparable properties that are located within the same neighborhood assessment code as the subject property. One comparable is located on the subject's same block. The comparables are improved with two-story dwellings of frame or masonry exterior construction ranging in size from 3,376 to 3,716 square feet of living area. The comparables have full finished basements, central air conditioning, from one to five fireplaces, and a two-car garage. The comparables sold in April or July of 2015 for sales prices ranging from \$1,495,000 to \$1,950,000 or from \$442.83 to \$538.67 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal estimating the subject property had a market value of \$1,100,000. The Board gives little weight to the value conclusion of the appellant's retrospective appraisal report. The appraiser relied upon the sales comparison approach to value

¹ The appellant submitted the Property Tax Appeal Board "Addendum to Petition" and did not request a reduction in the assessments for Parcel #2 (PIN 05-07-419-035-0000) or Parcel #3 (PIN 05-07-419-036-0000).

in estimating the subject's market value but selected three comparable sales with older aged dwellings when comparables identical in age to the subject were available and presented as evidence by the board of review. Furthermore, the appraiser did not adjust for the older ages of three comparables when compared to the subject's newer age of 4 years old. For these reasons, the Board gives little weight to the market value conclusion in the appraisal. The Board also gives less weight to the board of review comparable sale #3 due to its older age when compared to the subject.

The Board finds the best evidence of market value to be the appellant's appraisal sale #2 along with the board of review comparable sales #1, #2 and #4. These comparables sold proximate in time to the January 1, 2016 assessment date at issue, are identical or closer in age to the subject property and are most similar in other features to the subject property. When compared to the subject, these four comparables sales have superior finished basements and the board of review comparables are considerably larger in dwelling sizes when compared to the subject property. These four comparables sold from April 2015 to July 2015 for prices ranging from \$1,165,000 to \$1,950,000 or from \$393.32 to \$538.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,318,900 or \$413.06 per square foot of living area, including land. The Board finds that the market value reflected by the subject's assessment is within the range of the four best comparable sales contained in this record. A reduction is justified due to the fact these comparables have superior features relative to the subject property. After considering adjustments to the comparables for differences, such as dwelling sizes and finished basements, the Board finds a reduction in the subject's assessment is 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: July 16, 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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