



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

APPELLANT: Marcia Specks
DOCKET NO.: 16-21348.001-R-1
PARCEL NO.: 05-35-401-025-0000

The parties of record before the Property Tax Appeal Board are Marcia Specks, 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: \$19,613
IMPR.: \$90,387
TOTAL: \$110,000

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 consists of a two-story dwelling of masonry construction with 4,834 square feet of living area.¹ The dwelling is approximately 39 years old. Features of the home include a crawl space foundation, central air conditioning, two fireplaces, and a garage. The property has a 15,087 square foot site and is located in Evanston, Evanston Township, Cook County. The property is a class 2-78 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 prepared by Charles Schwarz using the sales comparison

¹ The parties differ slightly as to the size of the subject's garage. The Board finds this discrepancy will not impact the Board's decision for this appeal.

approach to estimate the subject property had a market value of \$1,000,000 as of January 1, 2016. The appellant's appraiser analyzed four comparable properties that were located on the subject's same block or within .25 to 2.5 of a mile from the subject. The comparables are described as two-story or "Ranch" dwellings with brick construction ranging in age from 8 to 114 years old. The comparables range in size from 2,374 to 5,286 square feet of living area and have partial or full basements, three of which have finished areas. Other features have varying degrees of similarity when compared to the subject. The sites range in size from 6,150 to 18,297 square feet of land area. The comparables sold from August 2014 to September 2015 for prices ranging from \$840,000 to \$1,382,500 or from \$205.26 to \$353.83 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted sale prices ranging from \$754,200 to \$1,221,500. Based on this evidence, the appellant requested the total assessment be reduced to \$100,000 or a market value of \$1,000,000 or \$206.87 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 \$152,424. The subject's assessment reflects a market value of \$1,524,240 or \$315.32 per square foot of living area, land included, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of the subject's assessment, the board of review submitted a grid analysis containing information on two comparable sales that are located within the same neighborhood assessment code as the subject. The comparables are described as two-story dwellings of masonry construction ranging in size from 2,495 to 4,298 square feet of living area. The comparables range in age from 28 to 56 years old and have partial finished or full unfinished basements. Other features have varying degrees of similarity when compared to the subject. The sites range in size from 9,310 to 17,500 square feet of land area. The comparables sold from March to May of 2015 for prices of \$2,102,000 and \$2,825,000 or \$842.48 and \$657.28 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 met this burden of proof and a reduction in the subject's assessment is warranted.

Upon an overall review of the appellant's evidence, the Board gives no weight to the appellant's appraisal's value conclusion because Appraisal Sale #4 is dissimilar to the subject with its "Ranch" style, one-story design, much older age, and significantly smaller dwelling size. Furthermore, Appraisal Sale #4 sold in August 2014 which is a dated sale and less likely to be reflective of market value as of the subject's January 1, 2016 assessment date. In addition, the appraiser failed to adjust the comparables for date of sale and age. The Board finds these facts undermine the value conclusion of the appellant's retrospective appraisal. The Board recognizes five of the six

comparables presented by both parties are dissimilar to the subject in age and both parties' comparable sales have superior basements when compared to the subject which lacks a basement. The Board gives less weight to the board of review comparable sale #1 due to its dissimilar smaller dwelling size when compared to the subject. The Board also gives less weight to the board of review comparable sale #2 as it appears to be an outlier with its considerably newer age and significantly higher sale price of \$2,825,000 or \$657.28 in comparison to the other comparables of larger dwelling sizes contained in this record that sold from \$205.26 to \$269.34 per square feet of living area.

Using the raw sales data, the Board finds the best evidence of market value to be the appellant's comparable sales #1 through #3 which sold proximate in time to the January 1, 2016 assessment date at issue and are most similar to the subject in location, two-story design, brick construction, dwelling size, and other features. The Board also recognizes these appraisal sales #1 through #3 are considerably older or newer in age and have superior full basements when compared to the subject that has a 39-year-old dwelling and lacks a basement. These three appellant's sales sold from July to September of 2015 for unadjusted prices of \$1,085,000 to \$1,382,500 or from \$205.26 to \$269.34 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,524,240 or \$315.32 per square foot of living area, including land, and is above the range of the three most similar comparables contained in this record. After adjusting the comparables for differences when compared to the subject, the Board finds the subject is overvalued. Based on this record, 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



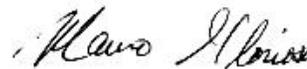
Member

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: October 15, 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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