



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

APPELLANT: Mitchell Melamed
DOCKET NO.: 16-21671.001-R-1
PARCEL NO.: 05-06-301-005-0000

The parties of record before the Property Tax Appeal Board are Mitchell Melamed, the appellant, by attorney Donald T. Rubin, of Golan Christie Taglia, LLP 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: \$44,299
IMPR.: \$28,301
TOTAL: \$72,600

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 one-story dwelling of frame exterior construction with 2,253 square feet of living area. The dwelling is approximately 54 years old. Features of the home include a full finished basement, central air conditioning, a fireplace and a two-car garage. The property has a 24,611 square foot site and is located in Glencoe, New Trier Township, Cook County. The subject is classified as a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity¹ and overvaluation as the bases of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal estimating the

¹ When completing Section 2d of the appeal form, the appellant indicated that the appeal was in-part based on comparable sales, however, the appellant submitted equity evidence. As a result, the Board will consider assessment inequity in-part to be the basis of the appeal.

subject property had a market value of \$647,000 as of February 18, 2016. The appraisal was prepared by Brian Paradis, a certified residential real estate appraiser.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four comparables. The comparables consist of one, 2-story and three, 1-story dwellings that range in age from 61 to 94 years old and are located within .75 of a mile from the subject property. Each comparable has central air conditioning, a fireplace and one-car or two-car garages. Three of the comparables have basements. The dwellings range in size from 1,700 to 2,799 square feet of living area and are situated on sites ranging in size from 11,220 to 16,570 square feet of land area. The comparables sold from May to December of 2015 for prices ranging from \$525,000 to \$678,500 or from \$242.41 to \$375.94 per square foot of living area, including land. The appraiser made adjustments to each comparable for differences from the subject property to arrive at adjusted prices ranging from \$641,200 to \$738,300. The appraiser arrived at an estimated value under the sales comparison approach of \$647,000.

The appellant also disclosed the subject was purchased on May 4, 2016 for a price of \$726,000 as set forth in Section IV-Recent Sale Data of the appeal petition. The appellant also disclosed the parties to the transaction were not related.

In support of the inequity argument the appellant submitted information on three equity comparables. Two of the comparables are located within the same neighborhood code as the subject property. The comparables consist of 1-story dwellings that range in age from 62 to 106 years old. Each comparable has central air conditioning and one-car or two-car garages; two of the comparables have one or two fireplaces; two of the comparables have basements. The dwellings range in size from 2,005 to 2,195 square feet of living area and have improvement assessments ranging from \$20,358 to \$31,954 or from \$10.15 to \$14.72 per square foot of living area. Based on this evidence, the appellant requested the total assessment be reduced to \$64,700.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$89,523. The subject's assessment reflects a market value of \$895,230 or \$405.27 per square foot of living area, land included, when using the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The subject property has an improvement assessment of \$45,224 or \$20.47 per square foot of living area.

In support of the subject's assessment, the board of review submitted information on four comparables located within the same the neighborhood code as the subject property. The comparables consist of one-story dwellings range in age from 52 to 89 years old. The comparables have fireplaces and one-car or two-car garages. Three comparables have central air conditioning; three of the comparables have basements. The dwellings ranging in size from 2,006 to 2,589 square feet of living area and are situated on sites ranging in size from 10,467 to 12,880 square feet of land area. The dwellings have improvement assessments ranging from \$44,132 to \$72,394 or from \$22.00 to \$28.65 per square foot of living area.

Comparable #4 also sold December of 2014 for a price of \$725,000 or \$347.89 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 in part 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 on this basis.

The Board finds the best evidence of market value to be the purchase price of the subject property in May 2016 for a price of \$726,000. The appellant completed Section IV-Recent Sale Data of the appeal disclosing the parties to the transaction were not related. Based on this record the Board finds the subject's assessment is not reflective of market value and a reduction in the subject's assessment is justified on this basis. The Board gave less weight to the appellant's appraisal due to the lack of adjustments for comparable sale #1 and #2's older age. Less weight was also given to the board of review's comparable sale #4 due to its December 2014 sale date which is not proximate in time to the January 1, 2016 assessment date at issued.

The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or refute the contention that the purchase price was reflective of market value.

The taxpayer also contends assessment inequity as the 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 parties submitted seven equity comparables for the Board consideration. After considering the subject's assessment reduction granted based on the appellant's overvaluation claim, the Board finds no further reduction is warranted on this basis.

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: June 18, 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

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