



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

APPELLANT: Elise Fleischaker
DOCKET NO.: 16-21726.001-R-1 through 16-21726.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Elise Fleischaker, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC 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
16-21726.001-R-1	05-18-210-021-0000	11,280	33,466	\$44,746
16-21726.002-R-1	05-18-210-022-0000	9,854	400	\$10,254

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 brick exterior construction with 2,219 square feet of living area. The dwelling is approximately 73 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 2-car garage. The property has a 13,254 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 contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$550,000 as of January 1, 2016. The appraisal was prepared by Audrey Clamage, a certified residential real estate appraiser. In estimating the market value of the subject property, the appraiser developed the sales comparison and cost approach to value.

Under the sales comparison approach, the appraiser analyzed four comparable sales located from .54 to 1.88 miles from the subject property. The comparables consist of 2-story dwellings that range in age from 75 to over 100 years old. Comparable sales #1, #2 and #4 have effective ages of 22 or 25 years old. The dwellings have partial or full basements, two of which have a finished area, central air conditioning and 1-car or 2-car garages. The dwellings range in size from 1,788 to 2,400 square feet of living area and are situated on sites ranging in size from 5,200 to 13,720 square feet of land area. The comparables sold in June or December of 2015 for prices ranging from \$522,500 to \$648,000 or from \$229.17 to \$341.77 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 \$533,740 to \$595,000.

In estimating the cost approach to value, the appraiser estimated the subject's land value at \$60,000. The appraiser then calculated a replacement cost new of \$602,235. The subject was depreciated by \$89,343 for a depreciated improvement value of \$512,892. The land was added back to arrive at an estimated value for the subject property under the cost approach of \$572,900.

The appraiser submitted photographs of the subject's interior depicting chipped and peeling paint, cracked windows, cracking wood and plaster throughout the interior of the dwelling. The appraiser also submitted photographs of the exterior depicting warped molding and gutters, chipped and peeling paint, worn concrete, an unlevel garage and driveway and a cracked patio. The appellant requested the total assessment be reduced to \$55,000 which would reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$67,500.¹ The subject's assessment reflects a market value of \$675,000 or \$304.19 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.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within the same neighborhood assessment code as the subject property. The comparables consist of 2-story dwellings that range in age from 75 to 90 years old. The dwellings have full basements, two of which have a finished area, central air conditioning, from one to four fireplaces and 1-car or 2-car garages. The dwellings range in size from 2,631 to 3,898 square feet of living area and are situated on sites ranging in size from 7,050 to 13,650 square feet of land area. The comparables sold from June 2014 to August 2016 for prices ranging from \$760,000 to \$1,409,443 or from \$280.03 to \$361.58 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the board of review's submission.

¹ The subject contains two parcels; P.I.N 05-18-210-021-0000 and P.I.N 05-18-210-022-0000. The board of review failed to include P.I.N 05-18-210-022-0000 in the "Board of Review Notes on Appeal."

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 Board finds the best evidence of market value to be the January 1, 2016 appraisal submitted by the appellant, estimating the subject property had a market value of \$675,000. The subject's assessment reflects a market value above the best evidence of market value in the record.

The Board gave less weight to the board of review comparable sale #3 due to its larger dwelling size when compared to the subject property. Less weight was also given to comparable sales #2 and #4 due to their 2014 sale dates which are less proximate in time for the January 1, 2016 assessment date at issue. Furthermore, the Board gave less weight to comparable sale #1 submitted by the board of review due to the fact that one unadjusted comparable does not overcome the appellant's appraisal report that included four comparables that were adjusted by the appellant's appraiser and which the Board has reviewed and appears to be logical and reasonable. 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 warranted commensurate with the appellant's request.

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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