



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

APPELLANT: Danielle Schoenwetter
DOCKET NO.: 16-23476.001-R-1
PARCEL NO.: 05-21-119-009-0000

The parties of record before the Property Tax Appeal Board are Danielle Schoenwetter, the appellant, by attorney Scott L. David, of Much Shelist 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 **No Change** 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: \$29,172
IMPR.: \$170,828
TOTAL: \$200,000

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 2-story dwelling of stucco construction.¹ The dwelling is approximately four years old and has 4,496 square feet of living area. Features of the home include a full finished basement, central air conditioning, three fireplaces and a 2-car garage. The property has a 14,960 square-foot site and is located in Winnetka, New Trier Township, Cook County. The subject is classified as a class 2-08 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

¹ In the appraisal report, the appraisers described the subject as a 3-story dwelling; however, the appraisers' photographic evidence reveals the subject dwelling is a 2-story structure. (Appraisal report, pp. 5 and 8).

\$1,800,000 as of January 1, 2016. The appraisal report was dated September 3, 2016, and was prepared by two certified appraisers, David Conaghan and David Barros of PJC Group.

The appraisers developed the sales comparison approach in order to estimate the market value of the subject property. The appraisers considered four comparable properties that sold from January to August 2016 for prices that ranged from \$1,300,000 to \$2,099,000 or from \$328.45 to \$404.00 per square foot of living area, land included. Although the appraisers did not report the comparables' proximity to the subject property, the comparables' parcel index numbers indicate they are located in the same general area as the subject property. The comparable properties have sites that range from 6,600 to 13,920 square feet of land area. The comparable properties are improved with 2-story dwellings. The dwellings are from one to fifteen years old and range in size from 3,650 to 5,850 square feet of living area. Although the appraisers listed the number of bathrooms and bedrooms, information regarding the comparables' exterior construction, foundation, central air conditioning, fireplaces or garages, if any, was not provided. After identifying differences between the comparable properties and the subject, the appraisers made modest adjustments to the sale prices for differences in age/condition, land area, living area, and above-grade layout. The appraisers determined that the adjusted sale prices of the comparable properties ranged from \$328.45 to \$400.77 per square foot of living area, land included. As a result, the appraisers concluded the subject property had a market value of \$400 per square foot or \$1,798,400 (4,496 sq. ft. x \$400.00), which was rounded up to \$1,800,000. Based upon the appraisal report, the appellant requested the subject's total assessment be reduced to \$180,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$200,000. The subject's assessment reflects a market value of \$2,000,000 or \$444.84 per square foot of living area, land included, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that sold from May 2014 to March 2016 for prices that ranged from \$2,000,000 to \$3,350,000 or from \$442.77 to \$796.89 per square foot of living area, land included. The comparable sales have the same assigned neighborhood code as the subject, and three have the same assigned classification code as the subject. The comparables have sites that range from 9,900 to 16,456 square feet of land area. The comparables are improved with 2-story dwellings with masonry construction. The dwellings are either four or seven years old and contain from 3,796 to 4,517 square feet of living area. The comparables have full basements, with three having finished area; central air conditioning; from one to four fireplaces; and garages, either 2-car or 3-car. 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal report estimating the subject property had a market value of \$1,800,000 as of January 1, 2016. Although the appraisers analyzed four comparable sales that sold proximate enough to the assessment date, the Board gave less weight to the appraisal report. The Board finds that none of the comparable sales are all that similar to the subject property in living area and two of the sales are significantly older than the subject. Moreover, the Board finds problematic the lack of information provided regarding the comparables' features, which prevents a meaningful analysis to determine the similarities of the comparables to the subject property. The Board finds the differences in living area and age as well as the lack of information regarding features undermine the appraisers' claim that these properties are comparable to the subject. Consequently, the Board will instead examine the raw sales used in the appraisal as well as the comparable sales submitted by the board of review.

Based upon an analysis of the comparable sales presented by the parties, the Board finds the best evidence of market value in the record to be board of review comparable sales #1 and #4. The Board finds these comparables are the same age as the subject and are very similar to the subject in living area, location, land area, story height and features like a full finished basement, central air conditioning, fireplaces, and a garage. The Board finds board of review comparables #1 and #4 sold in April 2015 and March 2016 for prices of \$3,350,000 and \$2,000,000 or for \$795.91 and \$442.77 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$2,000,000 or \$444.84 per square foot of living area, including land, which is supported by the two best comparable sales in the record. Based upon the evidence in the record, the Board finds a reduction in the subject's assessment is not 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: September 17, 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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