



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

APPELLANT: Shiven Sulkar
DOCKET NO.: 17-21743.001-R-1
PARCEL NO.: 01-16-403-029-0000

The parties of record before the Property Tax Appeal Board are Shiven Sulkar, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company, in Mundelein, 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: \$16,688
IMPR.: \$103,312
TOTAL: \$120,000

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 2017 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 exterior construction with 7,231 square feet of living area. The dwelling is approximately 21 years old. Features of the home include a full basement that is 90% finished, central air conditioning, six fireplaces, an indoor pool, an inground outdoor pool, tennis courts, a putting green and an eight-car garage.¹ The property has a 222,510 square foot site and is located in Barrington Hills, Barrington Township, Cook County. The subject is classified as a class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

¹ While the assessing officials failed to report all the fireplaces, pools, tennis court, putting green and complete garage size, the Board finds that the appellant's appraiser described these amenities after viewing the property as certified in the appraisal report.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Steven L. Smith, a Certified Residential Real Estate Appraiser. The appraiser utilized the sales comparison approach to value in estimating the subject property had a market value of \$1,200,000 as of January 1, 2017.

The comparable properties are located from .25 of a mile to 2.33-miles from the subject. The parcels range in size from 218,671 to 226,076 square feet of land area and are improved with two-story dwellings that were 13 to 23 years old. The homes range in size from 5,444 to 8,045 square feet of living area. Each comparable has a full or partial walkout-style basement with finished area, central air conditioning, two to five fireplaces and a three-car or a four-car garage. Appraisal sale #1 also has a Koi pond. The comparables sold from January to November 2016 for prices ranging from \$725,000 to \$1,700,000 or from \$133.17 to \$211.31 per square foot of living area, including land.

The appraiser applied adjustments to the comparables for differences in sales/financing concessions, location, site size, age, condition, above-grade area, bathroom count, dwelling size, full walkout basement feature, number of fireplaces, other amenities or lack thereof and garage size. From this process, the appraiser arrived at adjusted sales prices ranging from \$1,177,300 to \$1,241,680. In reconciliation, the appraiser gave most weight to comparables #1 and #3 which are most similar to the subject in overall appeal. Through this process, Smith opined a market value for the subject property of \$1,200,000 or \$165.95 per square foot of living area, including land, as of January 1, 2017.

Based on this evidence, the appellant requested a reduced total assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$125,000. The subject's assessment reflects a market value of \$1,250,000 or \$172.87 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located in the same neighborhood code as the subject. The parcels range in size from 206,605 to 268,112 square feet of land area and are improved with two-story dwellings of frame, masonry or frame and masonry exterior construction. The homes range in age from 10 to 76 years old and range in size from 5,033 to 10,380 square feet of living area. Each comparable has either a full or partial basement, two of which have formal recreation rooms. Each dwelling has central air conditioning, two or three fireplaces and from a 2.5-car to a 4-car garage. Comparable #4 has "other improvements" which are not detailed in the submission. The comparables sold from June 2014 to August 2016 for prices ranging from \$1,280,562 to \$2,750,000 or from \$200.21 to \$264.93 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 contended that the board of review comparables are more distant from the subject property than the comparables presented in the appellant's appraisal report. In further support of this assertion, the appellant provided a map depicting the location of the subject and both parties' comparable properties. Board of review sale #1 was noted as substantially larger than the subject dwelling; comparable #2 was noted as not being marketed on the MLS; comparable #3 is located on a lake and is smaller than the subject dwelling; and comparable #4, while much older than the subject, has been recently rehabbed with "hundreds of thousands of dollars put into it before sale."

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/did not meet* this burden of proof and a reduction in the subject's assessment *is/is not* warranted.

The appellant submitted an appraisal setting forth a market value for the subject of \$1,200,000 as of January 1, 2017 and the board of review submitted four comparable sales to support their respective positions before the Property Tax Appeal Board.

Having thoroughly examined the evidence submitted by both parties, the Board finds the best evidence of market value to be the appraisal submitted by the appellant as the comparable sales utilized in the report were relatively similar to the subject in age, design and some features. In contrast, the Board finds that the comparables presented by the board of review differed significantly in age and/or dwelling size when compared to the subject. Moreover, the board of review's evidence lacked adjustments for those differences as compared to the appellant's appraisal report which included adjustments for differences and was not substantively refuted by the board of review in any manner. The subject's assessment reflects a market value of \$1,250,000 or \$172.87 per square foot of living area, including land, which is above the appraised value conclusion.

On this record, the Board finds the subject property had a market value of \$1,200,000 as of the assessment date at issue. Since market value has been established the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)).

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: August 24, 2021



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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