



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

APPELLANT: Doug Grant  
DOCKET NO.: 17-23009.001-R-1  
PARCEL NO.: 05-21-317-017-0000

The parties of record before the Property Tax Appeal Board are Doug Grant, 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 **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:** \$23,809  
**IMPR.:** \$51,541  
**TOTAL:** \$75,350

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 stucco exterior construction with 2,584 square feet of living area. The dwelling is approximately 103 years old with a reported effective age of 20 years. Features of the home include a full unfinished basement and a 2.5-car garage.<sup>1</sup> The assessing officials indicated the property has "other improvements" without specifying those items. The property has a 12,210 square foot site and is located in Winnetka, New Trier Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

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<sup>1</sup> While the assessing officials indicate the home has neither air conditioning nor a fireplace, the appraiser who performed the exterior-only appraisal for a refinance transaction set forth characteristics including air conditioning and a fireplace which are "considered to be typical of similar homes in this market." (Appraisal Addendum, page 3).

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an exterior-only appraisal prepared for a refinance transaction wherein the property was appraised for fee simple rights. Darcie Andersen, a Certified Residential Real Estate Appraiser, utilized both the sales comparison and the cost approaches to value in estimating the subject property had a market value of \$685,000 as of January 19, 2017.

Under the cost approach the appraiser estimated the subject had a site value of \$400,000. The appraiser estimated the replacement cost new of the improvements to be \$373,400. The appraiser estimated physical depreciation to be \$67,890 resulting in a depreciated improvement value of \$305,510. The appraiser also estimated the site improvements had a value of \$25,000. Adding the various components, the appraiser estimated the subject property had an estimated market value of \$730,500, rounded, under the cost approach to value.

Under the sales comparison approach, the appraiser analyzed three sales and one active listing of comparables located within .42 of a mile from the subject. The parcels range in size from 7,800 to 14,300 square feet of land area and have each been improved with a two-story traditional dwelling. The homes range in age from 40 to 100 years old and range in size from 1,564 to 2,752 square feet of living area. Each comparable has a basement, one of which has finished area, central air conditioning, a fireplace and a two-car garage. Three of the homes sold from January 2016 to January 2017 for prices ranging from \$618,500 to \$716,500 or from \$249.81 to \$395.46 per square foot of living area, including land, and comparable #4 depicts an active listing with an asking price of \$869,000 or \$315.77 per square foot of living area, including land.

The appraiser applied a downward adjustment to the listing for sales/financing concessions. The newest dwelling, comparable #4, was adjusted for its age and other adjustments were made to the comparables for differences in bathroom count, dwelling size and/or finished basement. This process resulted in adjusted sales prices ranging from \$642,000 to \$817,810. As part of the appraisal process, Andersen stated the listing was used as added support and most weight was placed on sale #1 for its similar room count along with sale #3 for its similar lot size.

In reconciliation, Andersen placed most weight on the sales comparison approach which was considered most reliable in arriving at the final opinion of \$685,000. Based on this evidence, the appellant requested an 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 \$75,350. The subject's assessment reflects a market value of \$753,500 or \$291.60 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 property. The comparable parcels range in size from 6,000 to 11,250 square feet of land area and are improved with two-story dwellings of frame, stucco or frame and masonry exterior construction. The homes range in age from 94 to 123 years old and range in size from 2,294 to 2,916 square feet of living area. Each dwelling has a full or partial basement, two of which have formal recreation rooms. Two homes have central air conditioning, each dwelling has one or two fireplaces and

three of the comparables have either a one-car or a two-car garage. The comparables sold from May 2015 to March 2016 for prices ranging from \$765,000 to \$1,134,996 or from \$325.29 to \$389.23 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal and the board of review submitted four comparable sales to support their respective positions before the Property Tax Appeal Board. Having thoroughly examined the appellant's appraisal report, the Board gives little weight to the value conclusion determined utilizing the sales comparison approach which was ultimately relied upon by the appraiser due to the unsubstantiated dwelling size adjustments that were applied to the comparable sales; a more than 1,000 square foot dwelling size difference was given a \$76,500 adjustment and a 38 square foot difference was given a \$3,000 adjustment with a 156 square foot difference being given an \$11,500 adjustment. The Board finds there is no logical explanation for the dwelling size adjustments which calls into question the entire value conclusion of the appraisal.

The courts have stated that where there is credible evidence of comparable sales these sales are to be given significant weight as evidence of market value. In Chrysler Corporation v. Property Tax Appeal Board, 69 Ill. App. 3d 207 (2nd Dist. 1979), the court held that significant relevance should not be placed on the cost approach or income approach especially when there is market data available. In Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill. App. 3d 9 (5th Dist. 1989), the court held that of the three primary methods of evaluating property for the purpose of real estate taxes, the preferred method is the sales comparison approach. The Board finds there are credible market sales contained in this record. As a consequence of the case law and the finding that the appraisal is not a reliable indicator of value, the most similar raw sales presented in the appraisal will be analyzed along with the best raw sales presented by the board of review. Due to a significant difference in dwelling size when compared to the subject, the Board has given reduced weight to appraisal sale #1. Due to the more remote dates of sale when compared to other sales/listing in the record, the Board has given reduced weight to board of review comparables #1, #3 and #4.

The Board finds the best evidence of market value to be appraisal sales/listing #2, #3 and #4 along with the board of review comparable sale #2. These properties present varying degrees of similarity to the subject and sold/were listed for prices ranging from \$655,000 to \$965,000 or from \$249.81 to \$345.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$753,500 or \$291.60 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this

evidence and after considering adjustments to the best comparables for differences when compared to the subject, 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: 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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