



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

APPELLANT: Sarah Murphy
DOCKET NO.: 17-23010.001-R-1
PARCEL NO.: 05-17-316-007-0000

The parties of record before the Property Tax Appeal Board are Sarah Murphy, 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 **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: \$28,952
IMPR.: \$116,048
TOTAL: \$145,000

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 frame exterior construction with 4,412 square feet of living area. The dwelling is approximately 96 years old. Features of the home include a partial unfinished basement, one fireplace and a two-car garage. The property has a 20,680 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.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant's attorney submitted a brief and settlement statement disclosing the subject property was purchased in June 2017 for a sale price of \$1,450,000. The settlement statement revealed the borrowers, Shihwah Chung and Sarah Regan Murphy, purchased the subject property, an

appraisal fee was paid to JMS Appraisal Group, and a real estate commission fee was paid to two firms.

In support of the subject's recent sale, the appellant also submitted an "as is" appraisal prepared by Kevin Paloucek, a certified residential appraiser with The JMS Appraisal Group, Inc. The appraiser described the subject's purchase transaction to be an arm's length sale and stated, "The subject was listed for sale on 02/26/2016 through the MRED with an original asking price of \$1,599,000 which was subsequently reduced." The appraiser used the sales comparison approach to arrive at an indicated value for the subject property of \$1,450,000 as of February 22, 2017.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$150,150. The subject's assessment reflects a market value of \$1,501,500 or \$340.32 per square foot of living area, land included, when using 4,412 square feet of living area and 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 properties with equity data.

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 only evidence in the record of the subject's market value was submitted by the appellant. A copy of an "as is" appraisal was submitted as evidence estimating the subject property has a market value of \$1,450,000 as of February 22, 2017. A copy of a settlement statement was also submitted disclosing the appellant purchased the subject property in June 2017 for the same market value conclusion reported in the appraisal. Although the appellant failed to provide evidence demonstrating the sale had the elements of an arm's length transaction, the board of review did not refute or challenge the market value evidence submitted by the appellant. Additionally, the appraisal reported the transaction was an arm's length sale and the subject property was listed for sale through MRED. The settlement statement further disclosed the appellant as the borrower, the settlement date, the purchase price, the charges paid for an appraisal, and the real estate commission fees paid to two entities. The Board finds the subject's assessment reflects a market value of \$1,501,500 or \$340.32 per square foot of living area, land included, which is above the purchase price and the appraised value in the appellant's evidence.

As a final point, the board of review equity analysis did not address the appellant's market value argument.

Based on this record, the Board finds a reduction in the subject's assessment commensurate with the appellant's request to reflect its purchase price is warranted.

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 8, 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

AGENCY

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