



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

APPELLANT: Black Forest Properties LLC  
DOCKET NO.: 17-41558.001-R-1  
PARCEL NO.: 10-14-226-022-0000

The parties of record before the Property Tax Appeal Board are Black Forest Properties LLC, the appellant, by attorney Jeffrey G. Hertz, of Sarnoff & Baccash 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:** \$4,531  
**IMPR.:** \$44,926  
**TOTAL:** \$49,457

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 multi-family building of masonry exterior construction with 4,324 square feet of living area. The dwelling is approximately 91 years old. Features of the property include an unfinished basement and a 4-car garage. The property has a 6,250 square foot site and is located in Evanston, Niles Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on December 30, 2013 for a price of \$273,250. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold with the help of a Realtor and that the property had been advertised in the Multiple Listing

Service (MLS) for a period of 59 days. The appellant submitted a copy of the settlement statement disclosing brokerage fees were paid along with a copy of the subject's MLS sheet which described the property as a "turn-key investment."

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$27,325 reflecting the purchase price of \$273,250 when applying the level of assessments for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$49,457. The subject's assessment reflects a market value of \$494,570 or \$114.38 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 its contention of the correct assessment the board of review submitted information on four properties, three of which sold. Since comparable #3 has only equity data which is not responsive to the overvaluation argument, this property will not be analyzed.

Comparables #1, #2 and #4, with sale data, are located in the subject's subarea as well as in the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 5,040 to 7,290 square feet of land area and are improved with two-story class 2-11 multi-family buildings of masonry exterior construction that range in size from 2,336 to 2,750 square feet of building area, land included. The properties range in age from 58 to 89 years old. Each building has a basement with two having finished area. One comparable has central air conditioning and two comparables have either a 2-car or a 2.5-car garage. The comparables sold from October 2014 to December 2016 for prices ranging from \$266,000 to \$421,500 or from \$96.73 to \$168.87 per square foot of building area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 Board finds comparables #1 and #2 submitted by the board of review to be the best evidence of market value in the record as they sold proximate in time to the assessment date at issue, despite differences when compared to the subject in age, building size and other features. These comparables sold in October and December 2016 for prices of \$266,000 and \$325,000 or for \$96.73 and \$139.13 per square foot of building area, including land. The subject's assessment reflects a market value of \$494,570 or \$114.38 per square foot of building area, including land, which is above the overall value of the two comparables and is bracketed on a per square foot basis by the two best comparable sales in the record. The subject's higher overall value reflects

the subject's significantly larger building size when compared to the best comparable sales in the record. The Board gave little weight to the subject's December 2013 sale as it did not occur proximate in time to the assessment date at issue. Similarly, the Board gave less weight to the board of review's comparable #4 which sold in 2014. After considering adjustments to the two best comparables for differences when compared to the subject, the Board finds, on this limited record, the evidence supports the subject's assessment and a reduction 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:

July 20, 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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