



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

APPELLANT: Richard and Judith Clemens
DOCKET NO.: 19-32160.001-R-1
PARCEL NO.: 04-08-300-108-0000

The parties of record before the Property Tax Appeal Board are Richard and Judith Clemens, the appellants; 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: \$9,329
IMPR.: \$40,871
TOTAL: \$50,200

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2019 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 townhome of masonry exterior construction with 2,470 square feet of living area. The dwelling is approximately 39 years old. Features of the home include a full basement, central air conditioning, a fireplace, and a 2-car garage. The property has a 4,551 square foot site and is located in Northbrook, Northfield Township, Cook County. The subject is classified as a class 2-95 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants' appeal is based on overvaluation. In support of this argument, the appellants submitted a Residential Appeal petition along with copies of the Cook County Board of Review final decision, a survey map and property history of the subject property, the residential real estate contract, the ALTA Settlement Statement, and the subject property's Internet sales listing by Trulia. The evidence disclosed the subject property was purchased on August 29, 2018 for a price of \$502,000 by the appellants from Scott D. Sanderson and Cathleen C. Sanderson. In the

Residential Appeal petition, the appellants disclosed under Section IV – Recent Sale Data that the parties to the transaction were not related, the property was sold by a Realtor, and the property was advertised for sale through a local paper and multiple listing for at least 13 months. The ALTA Settlement Statement associated with the sale of subject disclosed a real estate commission paid to Coldwell Banker Residential Brokerage. Based on this evidence, the appellants requested a reduction in the subject's total 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 \$54,106. The subject's assessment reflects a market value of \$541,060 or \$219.05 per square foot of living area, including land, when applying the 10% level of assessment for class 2 property 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 are located within the same neighborhood code and the same block as the subject. The comparables have sites ranging in size from 2,936 to 3,245 square feet of land area and are improved with similar class 2-95 townhomes of masonry exterior construction ranging in size from 2,124 to 2,446 square feet of living area. The townhomes are from 40 to 45 years old, have full unfinished basements, one fireplace, and a either a 1.5-car or a 2-car garage. The sales occurred from September 2016 to August 2018 for prices ranging from \$485,000 to \$630,000 or from \$223.50 to \$257.56 per square foot of living area, including land. In addition, the board of review's grid analysis also reported the subject sold for \$502,000 in 2018. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellants submitted a rebuttal critiquing the board of review evidence and arguing that the arm's-length purchase price of the subject's townhouse for \$502,000 is the best evidence of the fair market value. The appellants also stated they submitted supporting documentation to prove the arm's-length purchase price of the townhouse and that the Cook County assessor or the board of review never contested the facts concerning the subject's arm's-length purchase. In conclusion, the appellants requested the subject's assessment should be reflective of its fair market value based upon its arm's-length purchase price.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in August 2018 for a price of \$502,000. The appellants provided evidence demonstrating the sale had the elements of an arm's-length transaction. The appellants completed Section IV - Recent Sale Data of the Residential Appeal petition disclosing the parties to the transaction were not related, the property was sold using a Realtor, and the property had been advertised on the open market through local paper and an Internet listing for at least 13 months. In further support of

the subject's transaction the appellants submitted a copy of the real estate sales contract, the ALTA Settlement Statement disclosing the payment of a real estate commission, and the Internet listing for the sale of the subject property. The board of review submission also made note of the subject's sale. The Board finds the purchase price of \$502,000 of the subject property is below the market value of \$541,060 as reflected by its assessment. The Board also finds the board of review did not present any evidence to challenge the arm's-length nature of the transaction and the suggested comparable sales presented by the board of review do not overcome the arm's-length sale of the subject. Furthermore, the subject's sale date in August 2018 is closer to the January 1, 2019 assessment date at issue than the 2016 and 2017 sale dates for three of the board of review comparables. Based on this record, the Board finds a reduction in the subject's assessment to reflect its purchase is 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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