



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

APPELLANT: Robert Matles
DOCKET NO.: 19-32262.001-R-1
PARCEL NO.: 04-26-405-018-0000

The parties of record before the Property Tax Appeal Board are Robert Matles, the appellant(s), by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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: \$15,870
IMPR.: \$76,186
TOTAL: \$92,056

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 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 one-year-old, two-story, single-family dwelling of frame construction with 3,848 square feet of living area. The property has a 13,800 square foot site and is located in Glenview, Northfield Township, Cook County. Features of the building include a finished basement with a formal recreation room, a fireplace, central air conditioning and a three-car garage. The subject is classified as a class 2-08 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. The appellant also indicated "Contention of Law" on the petition as the basis of this appeal. However, the appellant only submitted argument and evidence that the subject property was overvalued in its assessments. In support of this argument, the appellant submitted evidence disclosing the subject property was purchased on

September 29, 2017¹, for a price of \$460,000. The appellant completed Section IV - Recent Sale Data of the PTAB residential appeal form in which it disclosed a realtor was used in the sale of the subject, that the sale was not due a foreclosure and not between family members or related corporations. The method of advertisement was listed as through the MLS. The appellant did not list how long the property was advertised for, nor did the appellant submit a listing data sheet or listing history. The appellant submitted a copy of the settlement statement, Bill of Sale and affidavit of title covenant and warranty.

Based on the submitted evidence the appellant requested the subject's total assessment be reduced to \$40,710.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$92,056. The subject's assessment reflects a market value of \$920,560 or \$239.23 per square foot of living area, land included, when using the 10% level of assessments 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 sales comparable properties,

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

The Board gives little weight to the 2018 sale of the subject as it is unclear whether the sale was of an arms-length nature. Section IV of the residential appeal form requires the appellant to provide the length of time the subject property had been advertised on the open market; the appellant failed to provide this information. Additionally, there is no listing data sheet for the subject in the record which would have likely supplied that information. Ultimately, there is no conclusive evidence submitted by the appellant that disclosed if or for how long the property was exposed to the open market. Illinois law requires that all real property "shall be valued at its fair cash value, estimated at the price it would bring at a fair voluntary sale." (Ill. Rev. Stat. 1971, ch. 120, par. 501.) Fair cash value is normally associated with fair market value: what the property would bring at a voluntary sale where the owner is ready, willing and able to sell but not compelled to do so and the buyer is likewise ready, willing and able to buy, but not forced to do so. (See, e.g., *People ex rel. McGaughey v. Wilson* (1937), 367 Ill. 494, 12 N.E.2d 5.) This is theoretically an objective standard of valuation; the value of particular property is set by the forces of the marketplace at a given place and time. The Property Tax Appeal Board finds the subject's lack of open market exposure fails to meet a fundamental requirement to be considered

¹ On Section IV - Recent Sale Data appellant indicates that the Date of Sale was October 6, 2017. The Submitted settlement statement lists the closing date as September 29, 2017. The Board finds that the sale of the subject occurred in September of 2017.

an arm's-length transaction reflective of fair cash value. While the board of review failed to submit evidence in support of its contention of a correct assessment, the appellant ultimately had the burden of showing overvaluation in the assessment process by a preponderance of the evidence. The appellant failed to satisfy this burden. The Board therefore finds that a reduction in the subject's assessment on the evidence provided by the appellant *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: _____

December 17, 2024



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Robert Matles, by attorney:
Noah J. Schmidt
Schmidt Salzman & Moran, Ltd.
111 W. Washington St.
Suite 1300
Chicago, IL 60602

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602