



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

APPELLANT: Karina Lipnickas  
DOCKET NO.: 19-34978.001-R-1  
PARCEL NO.: 04-07-204-012-0000

The parties of record before the Property Tax Appeal Board are Karina Lipnickas, the appellant; 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:** \$22,757  
**IMPR.:** \$31,243  
**TOTAL:** \$54,000

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 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-story dwelling of frame exterior construction with 2,916 square feet of living area. The dwelling was constructed in 1970. Features of the home include a partial unfinished basement, central air conditioning, a fireplace, and a 2-car garage. The property has a 30,343-square foot site and is located in Northbrook, Northfield Township, Cook County. The subject is classified as a class 2-04 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 completed Section IV of the Residential Appeal form disclosing that she purchased the property for a price of \$540,000 on June 22, 2017. The appellant also disclosed that the property was purchased from Myra Liss Declaration of Trust; the transaction was not a transfer between family or related corporations; it was sold through a real estate agent, Bleusette Randall of Baird & Warner realty firm; it was advertised for sale through Multiple Listing Service (MLS) for a

period of four months; it was not a sale following a foreclosure; it was not sold using a contract for deed; and the home was occupied on August 1, 2017. The appellant also submitted a copy of the settlement statement associated with the sale of the subject property and a copy of the contract for purchase and sale.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$54,000 to reflect the purchase price of \$540,000 or \$185.19 per square foot of living area when applying the 2019 three-year average median level of assessment of 10% for class 2 property 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 \$76,528. The subject's assessment reflects a market value of \$765,280 or \$262.44 per square foot of living area, land included, 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 limited information on two comparable sales as one of the comparables was listed twice; the only descriptive information provided about the two properties was that they contained either 2,264 or 2,372 square feet of living area and are either 45 or 47 years old. The comparables sold in June and October 2017 for prices of \$560,000 and \$582,500 or for \$201.29 and \$194.69 per square foot of living area, land included, respectively. The board of review also submitted a copy of the settlement statement associated with the sale of the subject property and a copy of the contract for purchase and sale.

Based on this evidence, the board of review requested a confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter arguing that the sale was an arm's-length transaction and re-iterated that the parties were not related. The appellant further argued that the board of review assessed the subject property according to the unsupported and inflated original asking price rather than the actual sale price.

### **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 that the subject's sale meets the fundamental elements of an arm's-length transaction. The Illinois Supreme Court has defined fair cash value as 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 ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A contemporaneous sale of two parties dealing at arm's-length is not only relevant to the question of fair cash value but is

practically conclusive on the issue of whether an assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The appellant completed Section IV of the appeal form indicating that the property was advertised for sale on an open market via MLS for a period of four months; the buyer and seller were not related parties; a real estate agent was involved; it was not a sale following a foreclosure; it was not sold using a contract for deed; and there is no evidence in the record that there was any duress involved in this transaction. Cumulatively, these factors are indicative that the sale of the subject was an arm's-length transaction and, as such, is the best evidence of market value.

Conversely, the board of review submitted two comparable sales with virtually no descriptive data which is needed in order for the Property Tax Appeal Board to be able to conduct a meaningful comparative analysis. Consequently, the Board gave most weight to the sale of the subject property and gave little weight to the two comparable sales submitted by the board of review. The subject's assessment reflects an estimated market value of \$765,280 which is more than its sale price of \$540,000.

In addition, although the subject's sale in June 2017 is somewhat dated relative to the January 1, 2019 assessment date at issue, the Board finds the comparable sales submitted by the board of review which also sold in 2017 do not overcome the subject's arm's-length sale price as provided by the aforementioned controlling Illinois case law. Based on the evidence in this record, the Board finds that the appellant proved by preponderance of the evidence that the subject property is overvalued and, therefore, a reduction of the subject's assessment to reflect the purchase price 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: 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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