



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

APPELLANT: Franette Liebow & Jeffrey Goldman
DOCKET NO.: 20-20808.001-R-1
PARCEL NO.: 15-11-208-031-0000

The parties of record before the Property Tax Appeal Board are Franette Liebow & Jeffrey Goldman, 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: \$7,241
IMPR.: \$47,898
TOTAL: \$55,139

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 2020 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 2,445 square feet of living area. The dwelling is approximately 116 years old. The home features an unfinished basement and a 2-car garage. The property has a 6,897 square foot site and is located in River Forest, River Forest Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend both overvaluation and assessment equity with respect to the subject's improvement as the bases of the appeal. The appellants' evidence included printouts from the Cook County Assessor's Office which contained information on the appellants' comparables including tax details, assessment appeal information, and sales and tax history. The information provided varied by comparable.

In support of the overvaluation argument, the appellants submitted information on three comparable sales with the same assessment neighborhood code as the subject property and located from 344 feet to 1.3 miles from the subject property. The comparables have sites that range in size from 8,750 to 13,800 square feet of land area and are improved with one-story class 2-04 or two-story class 2-06 dwellings of frame or masonry exterior construction that range in size from 2,147 to 2,784 square feet of living area. The dwellings range in age from 90 to 99 years old. Each comparable has a basement with two having finished area, one or two fireplaces, and a 2-car garage. Two comparables each have central air conditioning. The comparables sold in May 2019 and February 2020 for prices ranging from \$425,000 to \$621,000 or from \$197.95 to \$226.44 per square foot of living area, land included.

As an alternate basis of the appeal, the appellants contend assessment inequity with respect to the improvement assessment. In support of this argument, the appellants submitted information on three equity comparables with the same assessment neighborhood code as the subject property and located from one block to 1.3 miles from subject property. The comparables are improved with two-story class 2-06 dwellings of frame, masonry, or stucco exterior construction that range in size from 2,263 to 2,785 square feet of living area. The dwellings range in age from 91 to 116 years old. Each comparable has a basement with two having finished area, one or three fireplaces, and from a 1-car to a 3-car garage. Two comparables each have central air conditioning. The comparables have improvement assessments that range from \$47,624 to \$57,945 or from \$20.81 to \$21.08 per square foot of living area.

The appellants also provided a letter dated February 4, 2021 to the Board detailing their concerns with the subject's assessment and compared their suggested equity comparables and comparable sales to the subject property. They asserted that the Cook County Board of Review assessments were not representative of the market value of these homes based on current sales. The appellants indicated they used Redfin, Realtor.com, and Trulia for sales information and property improvements not reflective of their home. The appellants provided several examples from these comparables to illustrate that the properties' assessed values, even after Covid adjustments, did not reflect market sales reality. They reported that on average, the assessed fair market values were 39% higher when compared to their actual sales prices. Although, the Cook County Board of Review has reduced their original assessment to \$58,953, the appellants feel that their property's assessment "is both higher than the comparable assessments in the neighborhood and there appears to be an overall disparity in the neighborhood between the Cook County assessed values and what the properties command on the open market."

Based on this evidence, the appellants requested the subject's total assessment be reduced to \$55,139. The requested assessment reflects a total market value of \$551,390 or \$225.52 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%. The request would lower the subject's improvement assessment to \$47,898 or \$19.59 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,953. The subject's assessment reflects a market value of \$589,530 or \$241.12 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%. The subject has an improvement assessment of \$51,712 or \$21.15 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted both sales and equity information on four comparable properties with the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 8,750 to 17,695 square feet of land area and are improved with two-story class 2-06 dwellings of masonry or stucco exterior construction that range in size from 2,743 to 4,157 square feet of living area. The dwellings range in age from 82 to 110 years old. Each comparable has a basement with finished area, one or two fireplaces, and from a 1-car to a 2.5-car garage. Two comparables have central air conditioning. The comparables sold from May 2018 to August 2019 for prices ranging from \$810,623 to \$1,190,000 or from \$286.26 to \$377.67 per square foot of living area, land included. The comparables have improvement assessments ranging from \$60,209 to \$78,432 or from \$18.87 to \$25.66 per square foot of living area.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal to the board of review's evidence, the appellants submitted a letter to the Board dated June 22, 2021. In this letter, the appellants reiterated many of the same assertions concerning both parties' suggested comparables and their differences to the subject. The appellants stated that the Cook County assessed values placed on the comparables sales exceeded the market price of these properties by as much as 47%. They noted since the date of their appeal that the Cook County BOR had reduced the values on several of the comparables to "bring them more in line with the actual sales prices" and this action by the BOR further supported their argument. The appellants pointed out that the board review comparable #2 was a Frank Lloyd Wright property and not comparable to the subject because of its historical and architectural significance. The appellants critiqued the Cook County BOR comparables indicating they violated the BOR's own standards that they advocated at their informational sessions because of their size, in addition to also featuring luxury items and amenities that the subject lacked

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 parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to the board of review comparables due to differences from the subject in dwelling size and/or sales date which are less proximate to the subject's January 1, 2020 valuation date at issue, and less likely to reflect the subject's market value for the assessment date at issue.

The Board finds the best evidence of market value to be the appellants' comparables which are more similar to the subject in location, design, age, dwelling size and some features. However, two of these comparables have finished basements and central air conditioning, not features of

the subject. In addition, two comparables have one fireplace, in contrast to the subject's two fireplaces. These comparables sold in May 2019 and February 2020 for prices ranging from \$425,000 to \$621,000 or from \$197.959 to \$226.44, land included. The subject's assessment reflects a market value of \$589,530 or \$241.12 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record but above the range on a per square foot basis. However, after considering adjustments to the comparables for differences when compared to the subject, such as basement finish, central air conditioning, and/or number of fireplaces, the Board finds a reduction in the subject's assessment based on overvaluation and commensurate with the appellants' request is justified.

The taxpayers also contend assessment inequity as an alternative basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). After considering the reduction to the subject's assessment based on overvaluation, the Board finds a further reduction in the subject's assessment based on equity 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:

October 18, 2022



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

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