



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

APPELLANT: Neil Fern  
DOCKET NO.: 20-27087.001-R-1  
PARCEL NO.: 01-12-303-098-0000

The parties of record before the Property Tax Appeal Board are Neil Fern, 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:** \$1,109  
**IMPR.:** \$41,391  
**TOTAL:** \$42,500

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 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 townhome of frame and masonry exterior construction with 3,040 square feet of living area. The townhome is approximately 15 years old. Features of the home include a partial unfinished basement, central air conditioning, a fireplace, and a two-car garage. The property has a 3,697 square foot site and is located in Inverness, Barrington Township, Cook County. The subject is classified as a class 2-95 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 submitted evidence disclosing the subject property was listed for sale on June 26, 2020 for a price of \$498,00 and was later purchased by the appellant on October 5, 2020 for a price of \$425,000. The appellant completed Section IV of the Residential Appeal petition disclosing the subject property was purchased from Jean N. Orloff Living Trust (the seller), the sale did not involve family members or related corporations; the subject was sold by John Morrison, who is a

realtor with @Properties, and the property was advertised for sale in a Multiple Listing Service (MLS). To document the sale, the appellant submitted copies of the MLS and Zillow listings, a bill of sale, and a settlement statement further disclosing real estate commissions were paid to @Properties and Coldwell Banker.

In further support of the overvaluation argument, the appellant provided a grid analysis and MLS printouts on four comparable sales located within the same neighborhood code, the same street, and in the same complex as the subject. The comparables have sites that range in size from 2,823 to 3,666 square feet of land area. The comparables are improved with two-story dwellings of brick and frame exterior construction with 2,789 or 3,494 square feet of living area and in age from 13 to 19 years old. Comparable sale #3 is reported in the MLS listing as having a partial basement. Three comparables have full basements, one of which has a walkout style with finished area. Each comparable has central air conditioning, one or two fireplaces, and a two-car garage. The properties sold from October 2020 to January 2021 for prices ranging from \$345,000 to \$449,000 or from \$124.06 to \$160.98 per square foot of living area, land included.

In a written letter to the Property Tax Appeal Board (PTAB), the appellant argued the subject's townhome along with the townhomes within the subject's complex are overassessed. The appellant maintains that although the board of review reduced the subject's assessment from \$48,229 to \$46,520, the assessment is approximately 10% above the subject's purchase price. The appellant also contends the appellant's comparable sales #1 through #3 had assessor valuations over the sales prices by 29.01%, 18.67% and 13.86%, respectively. In addition, the appellant's comparable sale #4 sold for 1% under the assessor's valuation which the appellant attributes to differences in features from the MLS and the assessor's website (i.e., bedrooms, bathrooms, fireplaces, and a walkout basement area which increased the dwelling's living space by approximately 35%).

Based on the evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price of \$42,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$46,520. The subject's assessment reflects a market value of \$465,200 or \$153.03 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 a grid analysis with information on four comparable sales and a comparative sales analysis. The four comparable sales in the grid analysis have sites that range in size from 2,827 to 3,685 square feet of land area and are improved with class 2-95 two-story dwellings of frame or frame and masonry exterior construction that range in size from 2,382 to 2,789 square feet of living area and in age from 12 to 15 years old. Three comparables each have one fireplace. Each comparable has an unfinished full basement, central air conditioning, and a two-car garage. The properties sold from April 2019 to August 2019 for prices ranging from \$467,000 to \$590,000 or from \$195.41 to \$219.82 per square foot of living area, land included.

The comparative sales analysis included limited property characteristics of 16 properties that also included the four comparable sales in the board of review's grid analysis, the appellant's comparable sale #1, and the subject's sale. The 16 properties are located in the same block as the subject properties and ten of the comparables are located on the subject's same street referred to as Stone Canyon Circle. The properties have sites that range in size from 2,827 to 3,979 square feet of land area and are improved with class 2-95 dwellings that range in size from 2,382 to 3,494 square feet of living area and in age from 12 to 16 years old. The properties sold from May 2017 to December 2020 for prices ranging from \$396,000 to \$590,000 or from \$139.80 to \$219.82 per square foot of living area, land included.

The board of review also stated in the Notes on Appeal that the "Appellant did not provide any evidence regarding a late November sale's relevance to a 1/1/20 date of value," and "There have been 16 recent sales (2017 thru 2020) in the subject's subdivision; the subject sale was the lowest per SF." Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant contends the board of review's statements are incorrect as the appellant provided four comparables with MLS sheets which show the county has historically over assessed properties within the HOA<sup>1</sup> by 14%-29% over actual sales price that occurred within a year of the county's "date of value" and affirmed the subject sold on October 5, 2020 and not late November as stated by the board of review. The appellant also critiqued the evidence submitted by the board of review maintaining the subject is over assessed in comparison to the townhomes provided by the board of review that sold for higher selling prices due to additional property characteristics not listed by the assessor's office. In addition, the appellant contends some of the board of review's evidence included older sales and did not include some of the more recent sales provided by the appellant. The appellant asserts the subject's townhome is basic as it lacks several property characteristics of the other homes and is reflected in its arm's-length 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 the best evidence of market value to be the sale of the subject property in October 2020 for \$450,000, which sold within 11 months of the January 1, 2020 assessment date at issue for this appeal. The appellant provided evidence demonstrating the sale had the elements of an arm's-length transaction. The appellant 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 was advertised for sale on the open market for approximately four months. In further support of the subject's transaction the appellant

---

<sup>1</sup> HOA is an acronym for Home Owner's Association.

submitted a copy of the MLS and Zillow printouts, the settlement statement disclosing payment of real estate commissions to @Properties and Coldwell Banker, and a copy of the bill of sale. 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. In addition, the subject's sale date in October 2020 is closer to the January 1, 2020 assessment date at issue for this appeal than five of the comparables presented by the board of review that sold in 2017 and 2018. The Board finds the subject's purchase price of \$425,000 or \$139.80 per square foot of living area, land included, is less than its estimated market value as reflected by its total assessment of \$465,200 or \$153.03 per square foot of living area, land included.

Furthermore, the parties each submitted a grid analysis of four comparable sales and the board of review also provided a comparative sales analysis of 16 properties which included the subject's sale, the appellant's common comparable sale #1, and the four comparable sales in the board of review's grid analysis for a total of 19 comparable sales. The Board finds the subject's sale is further supported by nine of the comparable sales that are located within the subject's same street on Stone Canyon Circle and sold in 2019 and 2020 for prices ranging from \$396,000 to \$510,000 or from \$139.80 to \$214.11 per square foot of living area, land included. The Board gives less weight to the board of review's remaining comparable sales due to their location on a different street and/or sale dates that occurred in 2017 and 2018, and are less likely to reflect the subject's market value as of the January 1, 2020 assessment date at issue.

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: November 22, 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

AGENCY

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

APPELLANT

Neil Fern  
728 Stone Canyon Cir  
Inverness, IL 60010

COUNTY

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