



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

APPELLANT: 7800 Drew Avenue Trust
DOCKET NO.: 20-31293.001-R-1
PARCEL NO.: 18-31-201-012-0000

The parties of record before the Property Tax Appeal Board are 7800 Drew Avenue Trust, the appellant, 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 **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: \$34,340
IMPR.: \$13,160
TOTAL: \$47,500

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 1-story dwelling of masonry exterior construction with 2,015 square feet of living area. The dwelling is approximately 61 years old. Features of the home include a concrete slab foundation and a 2-car garage. The property has a 106,591 square foot site and is located in Burr Ridge, Lyons Township, Cook County. The subject is classified as a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on both unequal treatment in the assessment process with respect to both the land and improvement as well as overvaluation concerning the subject property. In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased on October 26, 2018 for a price of \$475,000. The appellant reported that the seller was Sylvia Rakosnik, the parties to the transaction were not related, and the property was sold through a realtor. The appellant also indicated the property was advertised for sale

online for one month. In further support of the sale, the appellant submitted a copy of the purchase contract and title insurance commitment which reflected the purchase price of \$475,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

In support of the uniformity argument the appellant submitted information on five equity comparables, three of which are located in the subject's assessment neighborhood. The comparables consist of 1-story class 2-04 dwellings of frame, masonry, or frame and masonry exterior construction ranging in size from 1,915 to 2,761 square feet of living area. The homes are 56 to 84 years old. Each dwelling has a 1-car, 2-car, or 2.5-car garage. Four comparables each have one or two fireplaces, four comparables each have a basement with one having finished area, two comparables each have finished attics, and three comparables have central air conditioning. The comparables have land assessments ranging from \$28,228 to \$56,624 or either \$0.70 or \$0.72 per square foot of land. The comparables have improvement assessments ranging from \$5,917 to \$29,824 or from \$2.34 to \$11.31 per square foot of living area. Based on this evidence, the appellant requested a reduced land assessment of \$34,340 or \$0.32 per square foot of land area and an improvement assessment of \$13,160 or \$6.53 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 \$103,902. The subject property has a land assessment of \$77,278 or \$0.72 per square foot of land area and an improvement assessment of \$26,624 or \$13.21 per square foot of living area. The subject's assessment reflects a market value of \$1,039,020 or \$515.64 per square foot of living area, land included, when using the 10% level of assessment for Cook County 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 comparables. The comparables consist of 1-story or 1.5-story class 2-04 dwellings of frame, masonry, or frame and masonry exterior construction ranging in size from 3,387 to 4,307 square feet of living area. The homes are 13 to 65 years old. Each dwelling has one or two fireplaces, a basement with three having finished area, and a 2-car or 3-car garage. Three comparables have central air conditioning. The parcels range in size from 18,800 to 52,794 square feet of land area. The comparables have land assessments ranging from \$22,090 to \$43,828 or from \$0.72 to \$1.18 per square foot of land area. The comparables have improvement assessments ranging from \$79,732 to \$135,859 or from \$23.18 to \$31.54 per square foot of living area. The sales occurred from July 2017 to May 2019 for prices ranging from \$1,565,000 to \$2,400,000 or from \$462.06 to \$654.07 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends, in part, assessment inequity as the 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). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of nine equity comparables to support their respective positions before the Property Tax Appeal Board. With respect to the land assessment, the Board finds the parties' comparables are not truly similar to the subject due to their smaller sites, nevertheless, the comparables have land assessments ranging from \$28,228 to \$56,624 or from \$0.70 to \$1.18 per square foot of land area. The subject's land assessment of 77,278 or \$0.72 per square foot of land area falls within the range of the comparables on a per-square-foot basis. While the subject's overall assessment is above the range, the Board finds it logical given the subject's larger site in relation to the comparables. Based on this record and after considering adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's land assessment is not justified.

With respect to the improvement, the Board finds the parties' comparables are not truly similar to the subject due to differences from the subject in design, foundation, dwelling size, and/or age, nevertheless, the comparables have improvement assessments ranging from \$5,917 to \$135,859 or from \$2.34 to \$31.51 per square foot of living area. The subject's improvement assessment of \$26,624 or \$13.21 per square foot of living area falls within the range established by the comparables. Based on this record and after considering adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's improvement assessment is not warranted on this record.

The appellant also 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted evidence of the subject's recent purchase and four comparable sales to support their respective positions before the Property Tax Appeal Board. The Board finds the best evidence of market value to be the sale of the subject for \$475,000. 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 appeal disclosing the parties to the transaction were not related, the property was sold using a realtor, and the property had been advertised online for one month. In further support of the transaction the appellant submitted a copy of the purchase contract. The Board finds the purchase price is below the market value reflected by the assessment.

The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The Board gave little weight to the comparable sales submitted by the board of review, which differ from the subject in dwelling size, foundation, and/or age. These sales do not overcome the subject's arm's length sale price.

Based on this record the Board finds the subject property is overvalued and a reduction in its assessment commensurate with the appellant's request 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 18, 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

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