



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

APPELLANT: Mitchell Gilbert
DOCKET NO.: 20-37522.001-R-1
PARCEL NO.: 18-06-109-024-0000

The parties of record before the Property Tax Appeal Board are Mitchell Gilbert, the appellant, by attorney Dimitrios Trivizas, of Dimitrios P. Trivizas, Ltd. in Skokie; 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: \$14,188
IMPR.: \$30,770
TOTAL: \$44,958

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 brick and frame exterior construction with 2,174 square feet of living area.¹ The dwelling was constructed in 1993 and is approximately 27 years old. Features of the home include a basement, central air conditioning, a fireplace, and a 2-car garage. The property has a 12,899 square foot site and is located in Hinsdale, 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 overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 26, 2017 for a price of \$355,000. The appellant completed Section IV of the appeal petition disclosing the sale was not

¹ The Board finds the best evidence of dwelling size is found in the appellant's appraisal which contains a sketch with measurements of the subject home and depicts a 1-story design.

between related parties, the property sold using a realtor and was advertised on the Multiple Listing Service for 53 days, and the sale was not due to foreclosure or by contract for deed. In support of the sale, the appellant submitted copies of the settlement statement disclosing payment of realtors' commissions, a Trustee's Deed, and a listing sheet indicating the property was listed for 53 days.

The appellant also submitted an appraisal estimating the subject had a market value of \$377,000 as of June 6, 2017. The appraisal was prepared by Jerome T. Dea, Jr. a certified residential real estate appraiser, for a mortgage transaction.

Under the sales comparison approach, the appraiser selected seven comparable sales and one listing located within 0.95 of a mile from the subject, with varying degrees of similarity to the subject. The seven comparables sold from July 2016 to April 2017 for prices ranging from \$350,000 to \$598,008 or from \$217.76 to \$332.02 per square foot of living area, including land. One home was listed for \$399,900 or \$280.63 per square foot of living area, including land. The appraiser made adjustments to the comparables for sale/financing concessions, date of sale, and differences from the subject to arrive at adjusted prices ranging from \$371,200 to \$564,408. The appraiser concluded a value of \$377,000 under the sales comparison approach.

Under the cost approach, the appraiser estimated a site value of \$240,000. The appraiser computed a replacement cost new of the home of \$327,274, and after subtracting physical and external depreciation, arrived at a depreciated value of \$199,637. The appraiser estimated site improvements of \$10,000. Based on the foregoing, the appraiser concluded a value of \$377,600 under the cost approach.

The appraiser gave most weight to the sales comparison approach, with secondary weight given to the cost approach, in estimating a market value for the subject of \$377,000 as of June 6, 2017.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$44,958. The subject's assessment reflects a market value of \$449,580 or \$206.80 per square foot of living area, land included, when using the level of assessment for class 2 property of 10% 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 three comparable sales located outside the subject's assessment neighborhood code. The parcels range in size from 6,288 to 10,480 square feet of land area and are improved with 1.5-story, Class 2-04 homes of stucco or frame and masonry exterior construction ranging in size from 1,915 to 2,495 square feet of living area. The dwellings range in age from 71 to 93 years old. Each home has a basement, one or two fireplaces, and a 2-car garage. Two homes have central air conditioning. The comparables sold from July 2017 to October 2019 for prices ranging from \$485,000 to \$745,000 or from \$241.13 to \$298.60 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant argued the board of review's comparables are unadjusted sales and are located in Western Springs unlike the subject.

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

The record contains evidence of a June 2017 sale of the subject and an appraisal presented by the appellant and three comparable sales presented by the board of review for the Board's consideration. The Board gives less weight to the June 2017 sale of the subject, as this sale occurred more remote in time from the January 1, 2020 assessment date and is less likely to be indicative of market value as of that date. The Board also gives less weight to the appellant's appraisal, which estimated a value for the subject as of June 6, 2017, more than two years prior to the assessment date, and relies on five sales occurring in 2016, which are more remote from the assessment date. For these reasons, the Board finds the appraisal states a less credible and/or reliable opinion of value and the Board will instead consider the raw sales data presented by the board of review.

The Board finds the best evidence of market value in the record to be the board of review's comparables #1 and #3, which sold more proximate in time to the assessment date than the other comparables in this record. The Board gave less weight to the board of review's comparable #2, which also sold in 2017. The board of review's comparables #1 and #3 bracket the subject in dwelling size but are substantially older homes than the subject, one comparable has a much smaller lot than the subject, and one comparable lacks central air conditioning that is a feature of the subject, suggesting upward adjustments to these comparables are needed to make them more equivalent to the subject. These comparables sold for prices of \$485,000 and \$598,000 or \$253.26 and \$241.13 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$449,580 or \$206.80 per square foot of living area, including land, which is below the best two comparable sales in this record. Based on this record and after considering appropriate adjustments to the best comparable for differences from the subject, the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment 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: May 21, 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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