



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

APPELLANT: Leon Wexler
DOCKET NO.: 21-37102.001-R-1
PARCEL NO.: 14-28-105-063-0000

The parties of record before the Property Tax Appeal Board are Leon Wexler, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, 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: \$11,370
IMPR.: \$42,130
TOTAL: \$53,500

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 2021 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 townhouse-style dwelling of masonry exterior construction with approximately 1,900 square feet of living area. The dwelling is approximately 70 years old with a reported effective age of 50 years according to the appraiser. Features of the home include a full basement, that is 50% finished, 2½ bathrooms, central air conditioning, a fireplace, a balcony and a patio. The property has an approximately 1,895 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-10 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 an appraisal prepared by Garry Nusinow, a Certified General Real Estate Appraiser. The appraisal was prepared to provide a basis for appeal of the *ad valorem* assessment of the subject. To develop an opinion, the appraiser utilized the sales comparison

approach and estimated the subject property had a market value of \$535,000 as of January 1, 2021.

The appraiser stated the property is owner occupied.¹ As part of the preparation of the report, Nusinow inspected the dwelling describing the same as being in average condition with physical depreciation due to normal wear and tear. However, the appraiser also wrote, “the subject receives below average maintenance compared to this and competing neighborhood” and “the quality of construction is average compared to this and competing neighborhoods.” He further commented in the appraisal, “no repairs are required for occupancy, but no buyer would move-in in its current condition.” Photographs of the interior were included in the report.

The appraiser analyzed six sales of comparable townhouse-style properties located within .80 of a mile from the subject. The comparables range in age from 22 to 121 years old and range in size from 1,344 to 1,999 square feet of living area. Four comparables have basements with finished area ranging in size from 500 to 780 square feet. The comparables have from 1½ to 2½ bathrooms, central air conditioning and four comparables have either a 1-car or a 2-car garage with two comparables each having a 1-car off street parking space. The properties sold from February 2019 to March 2021 for prices ranging from \$410,000 to \$609,500 or from \$264.69 to \$381.92 per square foot of living area.

Next, the appraiser made downward adjustments to sales #2 and #5 for credit given to the buyer at closing. Then as further detailed in the Supplemental Addendum, Nusinow made adjustments to the comparables for differences when compared to the subject in condition to four of the sales ranging in amounts from \$15,000 to \$45,000 where the properties were deemed to be “average to average+” and the highest downward adjustment for sale #6 noted as rehabbed in 2018; for bathroom count and/or dwelling size; two comparables without basements were each given \$20,000 upward adjustments; adjustments for garages were made at \$15,000 per car stall and off street parking was adjusted by \$5,000 in comparison to the lack of parking for the subject property. Differences in the subject’s patio, balcony and fireplace amenities were made and varied across the comparables, if the comparable had none of these amenities the adjustment was \$10,000. Based on the foregoing analysis and adjustments, the appraiser concluded adjusted sales prices ranging from \$460,000 to \$575,000. From this data, the appraiser concluded the subject’s value under the sales comparison approach was \$535,000 as of January 1, 2021, giving greatest consideration to sale #1 at 17.7% through all the sales down to sale #6 which was given 15.2% weight, as stated in the Supplemental Addendum. Based on the foregoing, the appellant requested a total assessment of \$53,500 to reflect the appraised value conclusion at the Ordinance level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$63,000. The subject's assessment reflects a market value of \$630,000, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

¹ The statement as to occupancy by the appellant conflicts with the Residential Appeal petition where the appellant indicated the property was “not” owner-occupied (page 1, Residential Appeal, Line 1b).

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in the same neighborhood code and are within ¼ of a mile from the subject. The comparable parcels range in size from 1,419 to 1,648 square feet of land area and are each improved with a class 2-10 two-story dwelling of masonry exterior construction. The dwellings range in age from 68 to 84 years old and range in size from 1,473 to 1,616 square feet of living area. Each comparable has a basement, three with finished area and 2 to 2½ bathrooms. The comparables have central air conditioning and three dwellings each have a fireplace. The comparables sold from January to October 2021 for prices ranging from \$615,000 to \$722,000 or from \$380.57 to \$485.87 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued the data provided by the board of review consisted of four unadjusted raw sales. The data supplied by the board of review is argued to lack the detail of the subject and comparables set forth in the appellant's appraisal report. To more fully rebut the board of review sales data, the appellant submitted Multiple Listing Service (MLS) data sheets along with interior photographs for the board of review comparables. Based on the MLS data, the appellant asserted the board of review sales are all superior to the subject in terms of condition, finishes and amenities.

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 appellant supplied an appraisal of the subject property with an opinion of value as of the lien date at issue and the board of review submitted four comparable sales, each party presenting data to the Property Tax Appeal Board in support of their respective positions. The Board has given little weight to the four comparable sales presented by the board of review which are all 15% or more smaller in dwelling size when comparable to the subject dwelling, indicating these properties are dissimilar to the subject.

On this record, the Board finds the best evidence of market value to be the appraisal submitted by the appellant depicting an estimated market value as of January 1, 2021 of \$535,000. Examination of the appraisal indicates it reflects a thorough consideration of the characteristics of the subject property in comparison to six comparable sales with varying degrees of similarity to the subject. On this record, the appraisal report appears to be a reasonable and credible analysis of the subject's market value as \$535,000. The subject's assessment reflects a market value of \$630,000, including land, which is above the appraised value and appears to be excessive.

Therefore, the Board finds the subject property had a market value of \$535,000 as of the assessment date at issue. Since market value has been established the level of assessment for

class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2).

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: _____

February 18, 2025



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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