



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

APPELLANT: Marc Bortz
DOCKET NO.: 21-52914.001-R-1
PARCEL NO.: 17-09-120-027-0000

The parties of record before the Property Tax Appeal Board are Marc Bortz, the appellant, by attorney Jason W. Newton, of Schoenberg Finkel Beederman Bell Glazer LLC 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 **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: \$43,715
IMPR.: \$167,285
TOTAL: \$211,000

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 3-story townhouse of masonry exterior construction with 6,239 square feet of living area. The dwelling is approximately 12 years old. Features of the home include a basement with finished area,¹ central air conditioning, a fireplace, and a 2-car garage. The property has a 2,498 square foot site and is located in Chicago, North Chicago 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 an appraisal estimating the subject property had a market value of \$1,950,000 as of January 1, 2021. The appraisal was prepared by DaShawn Weaver-Drew, a

¹ The Board finds the best evidence of the subject's basement finish is found in the appellant's appraisal which contains photographs of finished basement area.

certified residential real estate appraiser, for ad valorem tax purposes. The appraisal was prepared on June 7, 2022 and the appraiser inspected the subject property on June 6, 2022.

Under the sales comparison approach, the appraiser selected four comparable sales located from 0.01 of a mile to 1.15 miles from the subject. The parcels range in size from 1,575 to 5,498 square feet of land area and are improved with townhomes ranging in size from 4,008 to 6,404 square feet of living area. The dwellings range in age from 14 to 90 years old. Three comparables each have a basement with finished area and a 2-car or a 3-car garage. One comparable has an exterior parking space. Each comparable has central air conditioning and one or three fireplaces. The comparables sold from February 2019 to December 2020 for prices ranging from \$1,725,000 to \$2,229,000 or from \$276.49 to \$430.39 per square foot of living area, including land. The appraiser reported comparable #4 was an early 2019 short sale located next door to the subject that was given minimal consideration. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted prices from \$1,725,000 to \$1,974,325. Based on this analysis, the appraiser concluded a value for the subject of \$1,950,000 as of January 1, 2021.

The appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$211,000. The subject's assessment reflects a market value of \$2,110,000 or \$338.20 per square foot of living area, including land, 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 information on four comparable sales located within 0.25 of a mile from the subject or on the same block as the subject. The parcels range in size from 1,085 to 2,447 square feet of land area and are improved with 3-story, class 2-95 townhomes ranging in size from 2,567 to 6,239 square feet of living area. The dwellings are 16 or 18 years old. One comparable has a basement and three comparables have a slab foundation. Each comparable has central air conditioning, one or two fireplaces, and a 2-car garage. The comparables sold in January or November 2021 for prices ranging from \$1,075,000 to \$2,450,000 or from \$392.69 to \$492.79 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 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.Adm.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.Adm.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 appellant submitted an appraisal and the board of review submitted four comparable sales for the Board's consideration. The Board gives less weight to the appraised value conclusion as the appraiser selected two comparables that differ substantially from the subject in location and/or dwelling size, requiring large adjustments, and selected one comparable that was given minimal consideration due it being an older, short sale. The appraiser did not explain why the board of review's comparable #1 was not selected as a comparable, although this property sold prior to the date of the appraisal, is identical to the subject in dwelling size, and is similar to the subject in location, age, site size, and most features. 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 presented in the appraisal and by the board of review.

The record contains a total of eight comparable sales for the Board's consideration. The Board gives less weight to the appraisal sale #4, which sold less proximate in time to the assessment date, and to the appraisal sales #2 and #3 and the board of review's comparables #2, #3, and #4, due to substantial differences from the subject in dwelling size, age, location, site size, foundation type, and/or garage amenity.

The Board finds the best evidence of market value to be the appraisal sale #1 and the board of review's comparable #1, which sold more proximate in time to the assessment date and are more similar to the subject in dwelling size, age, location, site size, and features. These comparables sold for prices of \$2,150,000 and \$2,450,000 or \$335.73 and \$392.69 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$2,110,000 or \$338.20 per square foot of living area, including land, which is below the two best comparable sales in terms of total market value and is bracketed by these comparables on a per square foot basis. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds 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: _____

April 15, 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

AGENCY

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