FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Bonnie Zilberbrand
DOCKET NO.: 21-55243.001-R-1
PARCEL NO.: 14-33-130-011-0000

The parties of record before the Property Tax Appeal Board are Bonnie Zilberbrand, the appellant, by attorney Holly Zeilinga, of Worsek & Vihon LLP 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:	$38,750
IMPR.:	$203,750
TOTAL:	$242,500

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 property is a 3,100 square foot site located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-08 property under the Cook County Real Property Assessment Classification Ordinance. The subject improvement is an approximately 16-year-old, three-story dwelling of masonry construction with 4,562 square feet of living area. Features of the dwelling include four full and two half bathrooms, a full basement, air-conditioning, and a two-car garage.

Appellant contends overvaluation as the basis of the appeal. In support of this argument, appellant submitted an appraisal estimating the subject property's market value as of January 1, 2021. Under the sales comparison approach, the appraiser utilized five comparable sales located from 0.14 of a mile to 0.39 miles from the subject property. The comparable properties have sites ranging from 2,856 to 2,952 square feet of land area. The properties are each improved with three story dwellings of masonry construction that range in size from 4,400 to 5,900 square feet living area and were built from 2002 to 2006. The comparable properties sold from May 2019 and January 2021 for prices ranging from $2,300,000 to $2,737,500 or from $431.03 to $552.34 per square feet of living area, including land. The appraiser then adjusted the raw sales data and concluded that based on the sales data and applying adjustments to the comparable sales for differences from the subject, the subject had a market value of $2,425,000 as of January 1, 2021.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of $310,881. The subject's assessment reflects a market value of $3,108,810 or $685.67 per square foot of living area, including land, when applying the level of assessments 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 two comparable sales properties. The comparable properties are in the same neighborhood and within a quarter mile of the subject. Each is improved with a three-story, masonry or stucco dwelling. They range in age from 13 to 43 years, in size from 4,531 to 4,598 square feet living area and sold between August 2018 and December 2018 for prices ranging from $1 to $3,778,300, or from $0 to $821.73 per square feet of living area, including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

This matter proceeded to hearing on May 12, 2026, via the WebEx virtual platform. The appellant called Mr. David Conaghan, the appraiser, as a witness. Mr. Conaghan testified that he is an Illinois certified general appraiser who prepared the appraisal submitted as evidence in this appeal. Mr. Conaghan testified that he has been an appraiser for 24 years, holds the Certified Illinois Assessing Officer (CIAO) designation as well as the highest general certification for appraisers, has appraised all types of properties from single residential family, to commercial, industrial, retail, as well as specialty properties such as golf courses. Mr. Conaghan testified that he has testified many times previously and been qualified as an expert in those courts. Mr. Conaghan was admitted as an expert in the field of residential appraisals without objection. Mr. Conaghan testified the subject is in North Chicago Township. The subject is an owner occupied. The property was inspected October 15, 2021, with the condition being good, the utility of the home typical, and the best and highest use its current use. He testified that he employed the sales comparison approach to value using five selected comparable sales Mr. Conaghan then elaborated as to all five comparable properties, noting for several the source for the square footage was from Multiple Service Listings (MLS) and for each explained adjustment percentages either up or down depending on location, size, physical characteristics, lot size, bedroom count, bathroom count, below grade, age, and condition. Based on this Mr. Conaghan estimated a total market value for the subject of $2,425,000, as of January 1, 2021.

The board of review representative cross-examined Mr. Conaghan regarding the circumstances of his engagement, including the payment for his services and the involvement of other individuals whose signatures appeared on the appraisal report. Mr. Conaghan testified that he was retained and compensated by the taxpayer, including compensation for his appearance at the hearing, and that the additional signatories on the appraisal were employees who assisted in the inspection and appraisal process. The board of review representative also questioned Mr.

Conaghan about a prior matter involving his professional continuing-education compliance in 2016. Mr. Conaghan testified there were not many photos in the appraisal report due to limited access during the COVID pandemic and there was no income approach as not a typical approach to value for single family homes and there was no evidence of rental income. When asked by the board of review representatives why the MLS data, which may be inflated, was used for some of the comparable properties' square footage and for other sales that data came from the assessor, Mr. Conaghan explained that he uses multiple sources for data as many times both the assessor and MLS can be different for the same property and it is not sufficient to use one number without scrutiny. Mr. Conaghan further testified that reliability of any data is tested by comparing other metrics such as bedroom count, property site measurements, even using Google earth to form conclusions as to what is the most accurate. Mr. Conaghan opined that if only one data source was used, some would be higher and others would be lower, and unadjusted numbers would be different, but here the most reliable data sources were considered and calculated, and all the numbers were adjusted.

In their case-in-chief, the board of review representative testified that as a former broker, he is aware that MLS listings use basement square footage in their listings as buyers want to know total square footage. The board of review then rested on the evidence submitted. On cross-examination the appellant elicited that the board of review representative did not prepare the MLS listings for the appellant's sales comparable properties that used MLS data for square footage.

In rebuttal the appellant argued there was no corroborative support for the sales data for the board of review comparable properties and one of the sales was for $1.00.

In closing the board of review representative argued that the appraisal was not reliable because there was no income approach and the data used had inconsistent sources which skewed valuation. The appellant argued that the board of review called no witnesses, provided no testimony or evidence that would show the assessor's records, or the MLS data are more reliable, or authority that only one source must used, and the appraisal was reliable.

Conclusion of Law

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 appellant did meet this burden of proof and a reduction in the subject's assessment is warranted.
The Board finds the appellant's appraisal to be the most persuasive and credible evidence of market value in the record. The Board notes that the board of review did not object to the appraiser's qualifications when he was presented as an expert witness. Having raised no objection, the appraiser was accepted as an expert in the field of real estate appraisal. Despite this, the board of review later cross-examined the witness regarding matters unrelated to the

appraisal at issue, including references to activity from 2016. Such questioning does not undermine the credibility of the appraisal submitted for the lien year under appeal. If the board of review intended to challenge the appraiser's professional qualifications, the proper time to do so would have been during the expert qualification phase, not through collateral questioning during cross-examination. The appraisal is contemporaneous with the lien year at issue, based on an inspection, and supported by adjusted, proximate comparable sales. In contrast, the board of review submitted only unadjusted data regarding their comparable properties which the Board finds insufficiently persuasive to rebut the appellant's appraisal. Assessment data, without corresponding market transactions and without adjustments for relevant differences, is insufficient to establish market value. The appraisal relies on the sales comparison approach, utilizing five comparable properties and providing market-based adjustments to arrive at an opinion of value for the subject property. The subject's assessment of $3,108,810 reflects a market value above the best evidence in the record. The Board finds that the subject property had a market value of $2,425,000 as of the assessment date at issue. Because market value has been established, the level of assessment for Class 2 property under the Cook County Real Property Assessment Classification Ordinance applies. (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:

C E R T I F I C A T I O N

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: September 15, 2026

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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