



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

APPELLANT: Maureen A. Gallagher
DOCKET NO.: 22-22298.001-R-1
PARCEL NO.: 05-20-223-012-0000

The parties of record before the Property Tax Appeal Board are Maureen A. Gallagher, 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: \$20,625
IMPR.: \$34,875
TOTAL: \$55,500

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 2022 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 is improved with a part one-story and part two-story dwelling of frame and masonry exterior construction with 2,283 square feet of living area.¹ The dwelling is approximately 62 years old. Features of the home include a partial crawl space and partial concrete footing foundation, 2½ bathrooms, zoned central air conditioning, one fireplace and a one-car attached garage. The property has a 7,500 square foot site and is located in Winnetka, New Trier Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The parties differ as to the subject dwelling's story height and size. The Board finds the best description of the subject is found in the appellant's appraisal which contained a schematic diagram with dimensions of the improvement and interior and exterior photographs of the property.

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 \$320,000 as of January 1, 2022. The appraisal was prepared by Garry Nusinow, a State of Illinois Certified General Real Estate Appraiser. Nusinow described the subject to be in below average to average condition. The appraiser stated the house is in near original condition with minimal modernization and with maintenance being average to below average for this neighborhood and competing neighborhoods.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four comparable sales. The comparables are improved with either a part one-story and part two-story dwelling, a colonial style dwelling, a two-story dwelling or a 1.5-story Tudor style dwelling of frame and masonry exterior construction that range in size from 1,892 to 2,654 square feet of living area. The homes range in age from 29 to 72 years old. The appraiser described the comparables to be in either below average to average, average or above average condition. Three comparables each have a basement, two of which have finished area. Each comparable has 2, 2½ or 3 bathrooms, central air conditioning, one fireplace and either a one-car or a two-car garage. The comparables have sites ranging in size from 6,171 to 9,350 square feet of land area and are located from .26 of a mile to 1.06 miles from the subject property. The sales occurred from March 2021 to February 2022 for prices ranging from \$484,000 to \$770,000 or from \$255.81 to \$290.13 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject dwelling in age, condition, bathroom count, gross living area, basement area, basement finish, and other features to arrive at adjusted prices ranging from \$506,000 to \$627,500 and opined an estimated value for the subject of \$555,000 or \$243.10 per square foot of living area, including land.

The appellant requested the subject's total assessment be reduced to \$55,000, which would reflect a market value of \$550,000 or \$240.91 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% as determined by the Illinois Department of Revenue.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$78,000. The subject's assessment reflects a market value of \$780,000 or \$341.66 per square foot of living area, including land, using 2,283 square feet of living area and when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales described as class 2-06 properties that are improved with two-story dwellings of frame, stucco or masonry exterior construction ranging in size from 2,261 to 2,556 square feet of living area. The dwellings are from 68 to 124 years old. The board of review described the subject and the comparables to be in average or deluxe condition. The comparables each have a full or partial basement, one of which has finished area. Each comparable has either 1, 2, 2½ or 3½ bathrooms. Three comparables have central air conditioning, three comparables each have a fireplace and each comparable has one-car or a two-car garage. The comparables have sites that range in size from 7,586 to 9,350 square feet of land

area and are located approximately $\frac{1}{4}$ of a mile from the subject or within the subject's subarea. The sales occurred from August 2020 to December 2021 for prices ranging from \$1.00 to \$980,000 or from \$0 to \$433.44 for 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's attorney contends the board of review sales are unadjusted. The appellant also submitted copies of the Multiple Listing Service (MLS) printouts and photos taken from the MLS printouts for board of review comparables #1, #3 and #4. The appellant's counsel asserted that board of review comparable #1 was rehabbed in 2007 and has a partially finished basement; board of review comparable #3 has "impeccable updating" and a full-sized finished basement; and board of review comparable #4 was rehabbed in 2014 and has a partially finished basement with many renovations being completed from 2007 through 2020.

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 submitted an appraisal of the subject property, and the board of review submitted four comparable sales to support their respective positions before the Board.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant estimating the subject property had a market value of \$555,000 as of January 1, 2022. The appraiser developed the sales comparison approach to value using four recent comparable sales with varying degrees of similarity to the subject property. The appraiser adjusted the comparables for differences from the subject property and arrived at an estimated market value of \$550,000. The subject's assessment reflects a market value of \$780,000, which is greater than the appraised value. With respect to the board of review comparables, the Board has given less weight to the board of review's evidence which consisted of unadjusted sales data on four comparable properties, where each comparable dwelling differed from the subject dwelling in features, such as foundation type, basement finish, bathroom count, central air conditioning and/or garage capacity and/or three of the dwellings are considerably older in age, when compared to the subject. Moreover, board of review comparable #2 has a reported \$1.00 sale price which calls into question the arm's length nature of the transaction and board of review comparables #2 and #3 have sale dates which occurred in 2020, less proximate in time to the lien date at issue and thus less likely to be reflective of the subject's market value as of the January 1, 2022, assessment date. Based on this record, the Board finds the subject property had a market value of \$555,000 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 10.00% 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: _____

August 19, 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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