



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

APPELLANT: Joshua Pagliaro
DOCKET NO.: 22-22465.001-R-1
PARCEL NO.: 05-17-401-017-0000

The parties of record before the Property Tax Appeal Board are Joshua Pagliaro, the appellant, by attorney Daniel G. Pikarski, of Gordon & Pikarski, 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: \$37,125
IMPR.: \$135,875
TOTAL: \$173,000

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 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 consists of a part one-story, part two-story and a small partial third floor dwelling of frame (Hardie Board siding) exterior construction with 3,949 square feet of living area. The dwelling is approximately 109 years old with a reported effective age of 30 years. Features include a basement with finished area, central air conditioning (Space Pak), a fireplace and a three-car garage. The property has an approximately 11,250 square foot site and is located in Winnetka, New Trier Township, Cook County. The subject is classified as a class 2-06 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 a ±120-page appraisal report prepared by Ibi Cole, MAI, AI-GRS, Certified General Real Estate Appraiser, and James Worden, Certified General Real Estate Appraiser. Only Worden viewed the subject property on August 12, 2022. Using the sales comparison

approach to value, the appraisers estimated the subject property had a market value of \$1,380,000 or \$349.46 per square foot of living area, including land, as of January 1, 2022.

As to the recent sales history of the subject property, the appraisers acknowledged a special warranty deed was executed on March 14, 2019 for a sales price of \$1,730,000. As to this transaction, the appraisers on page 12 further wrote:

. . . it is worth mentioning that several functional obsolescence items materialized after the purchase which are typical of older homes. Unfortunately, functional obsolescence items that became a revelation post purchase may have not come into consideration at the time of original purchase in 2019. As with most older homes, age can be a hinderance to upgrades and modernizations which are not an issue for newer homes.

The appraisers further stated depreciation in market value since the subject's purchase in 2019 is due to several factors, even though the overall residential housing market has seen a stark increase in demand since the purchase in 2019, not every market segment has been affected.¹ "It appears the subject was purchased during a major upswing where prices were inflated." (Appraisal, p. 14) On pages 15 and 81-82, the appraisal set forth six items of functional and external obsolescence that were noted during the inspection of the dwelling: The third floor has sloped ceilings minimizing the useable space and limiting furniture placement; Bathrooms are narrow, limiting maneuverability; Basement ceiling height at 7-feet is relatively low and can limit how the space is utilized; The driveway leading to the garage is very narrow and in close proximity to the house, limiting ingress and egress maneuverability; As a five bedroom home, only the master bedroom has a private bath which is a significant deterrent for potential buyers "as most homes on the market have more than one private bathroom"; While the parcel is not within a flood zone, areas of the yard on the southwest are depressed due to longstanding standing water issues.²

In addition, as detailed on pages 82 to 84, the inspection revealed deferred maintenance such as, minor damage to interior flooring, evidence of cracking/settlement in the foundation, evidence of dampness/moisture in ceiling areas, cracking/deterioration of asphalt/brick paver driveways and walkways, and evidence of damage along garage rooftop.

For the sales comparison approach, the appraisers analyzed data on six comparables located within .244 of a mile from the subject and three of which are on the same street as the subject. The parcels range in size from 8,640 to 23,920 square feet and are each improved with a "Traditional," "Colonial" or two-story residential dwelling of stucco, vinyl siding, concrete or brick exterior construction. The homes range from 77 to 113 years old "at the time of sale" and range in size from 3,100 to 4,365 square feet of living area. The subject was deemed to be "good" in both quality and condition and each of the comparables were deemed to be "average" for both quality and condition. Each comparable has a full or partial basement, four of which

¹ On page 110 in considering adjustments to the comparable sales data for market conditions, the appraisers reported that there has been an upward change in market conditions between the date of the earliest sale [December 2019]) and the appraisal date.

² Contradicting this standing water description, on page 52, the appraisers described the parcel as predominately level and "there appears to be adequate storm drainage runoff from the subject."

have finished area and one of which is also a walkout-style. Each home has central air conditioning/Space Pak. Features include either a 1-car, 2-car, 2.5-car or a 3.5-car garage. The sales occurred from December 2019 to June 2021 for prices ranging from \$850,000 to \$1,641,000 or from \$229.10 to \$458.17 per square foot of living area, including land.

Next, the appraisers applied adjustments to the sales for differences in “single-family features” such as exterior construction, bedroom count, bathroom count, basement size, basement finish, and/or garage capacity when compared to the subject property which was followed by an additional adjustment analysis that further reduced comparable #2. Through this process and a second series of adjustment considerations, the appraisers set forth adjusted sales prices for the comparables ranging from \$877,500 to \$1,638,500 or \$227.95 to \$435.97 per square foot of living area, including land. The adjustments applied to each comparable property were further articulated on pages 111 and 112 of the report.

Based on the sales comparison approach, the appraisers noted that three sales are situated on the same street as the subject asserting that the subject “would fall toward the middle of these particular sales.” As adjusted, the appraisal notes the adjusted per square foot prices for these three properties ranges from \$227.95 to \$435.97 per square foot of living area, including land. Sales #1 and #3 were the most recent sales with the fewest cumulative adjustments indicating a slightly tighter range of \$279.82 to \$405.37 per square foot of living area, including land. The appraisers stated, “Based upon the current demand within the area for similar properties over the past three-years, combined with the subject’s condition, location, and amenities, the lower to middle-portion of the value range is applicable.” Thus, the appraisers determined a value of \$350.00 per square foot for the subject, resulting in a market value of \$1,380,000, including land, rounded, as of January 1, 2022. Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal." The appellant submitted a copy of the final decision disclosing the total assessment for the subject of \$173,000. The subject's assessment reflects a market value of \$1,730,000, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

As part of the board of review grid analysis, the subject was depicted as having sold in March 2019, approximately 33 months prior to the lien date at issue, for \$1,730,000 or \$438.09 per square foot of living area, including land.

In support of its contention of the correct assessment, the board of review submitted information on three comparable properties located in the same neighborhood code as the subject and ¼ of a mile from the subject. Comparable #3 depicts a February 2022 sale price of \$1 for a two-story dwelling containing approximately 4,500 square feet of living area. Without further evidence in the record concerning the details resulting in this sales price, comparable #3 will not be further analyzed in this decision as the \$1 sales price may not appear to be reflective of a true market value transaction.

Board of review comparables #1 and #2 consist of parcels of 25,742 and 15,000 square feet of land area, respectively, which are each improved with a class 2-06 two-story dwelling of frame

or frame and masonry exterior construction. The homes are 106 and 119 years old and contain 3,948 and 4,484 square feet of living area, respectively. Each home has a basement, and one comparable has central air conditioning. The comparables have two or three fireplaces and a two-car garage. These properties sold in December 2021 and March 2022 for prices of \$2,425,575 and \$1,500,000 or for \$614.38 and \$334.52 per square foot of living area, including land, respectively. 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.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 appellant submitted an appraisal of the subject property, and the board of review reported the 2019 sale of the subject along with two sales of comparable properties to support their respective positions before the Property Tax Appeal Board.

The Board has given little weight to the value conclusion in the appellant's appraisal. The Board finds the report sets forth contradictory statements about the luxury-home market: there has been a stark increase in demand for residential housing but also the luxury market is cooling due to high interest rates, a tepid stock market, inflation and economic certainty put a damper on demand. (Appraisal, p. 14) Another example of contradictions: "Luxury-sales growth began to slow in the spring and summer of 2021 amid an extreme shortage of high-end properties for sale, which restricted how many homes could be sold." (Appraisal, p. 15) The Board recognizes that in times of high demand and low inventory for residential real estate, while sales volume may appear to have decreased overall, prices tend to rise in this environment. As a consequence, the Board finds the appraisers' analysis of the market to be confusing at best and misleading at worst. Similarly, the appraisers on the one hand critique obsolescence issues related to the subject property based upon inspection but ultimately conclude that the subject is "good" in both quality and condition while each of the comparable sales are "average" in both quality and condition. The Board finds it curious that distinctions of "good" and "average" were applied, yet the distinctions failed to cause any adjustment(s) to the comparables indicating it is a distinction without a difference.

The Board finds page 15 of the report is an ideal example of the appraisers' attempts to downplay the marketability of the subject with an extensive paragraph about finishes in the home that are highly specific to the current owner's preferences, but following that discussion with six items of functional obsolescence which have no relationship to the prior information. Moreover, the Board finds that most of the six items of functional obsolescence as described in the report are readily observable characteristics of the dwelling, including sloped ceilings, narrow bathrooms, basement ceiling height, and a narrow driveway. Finally, and perhaps most obvious, the appraisers expended a significant portion of the appraisal distinguishing the subject's March 2019 purchase price of \$1,730,000 and attempting to distinguish this sale price from the current

market value determination as of January 1, 2022. The Board finds the appraisers' explanations that the subject dwelling lost \$350,000 in market value in the prior 33-month period are not logical, credible or supportable opinions on this record given reported market conditions.

The courts have stated that where there is credible evidence of comparable sales these sales are to be given significant weight as evidence of market value. In Chrysler Corporation v. Property Tax Appeal Board, 69 Ill. App. 3d 207 (2nd Dist. 1979), the court held that significant relevance should not be placed on the cost approach or income approach especially when there is market data available. In Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill. App. 3d 9 (5th Dist. 1989), the court held that of the three primary methods of evaluating property for the purpose of real estate taxes, the preferred method is the sales comparison approach. The Board finds there are eight credible market sales contained in this record which were presented by both parties.

Having examined the eight sales presented by the parties in this appeal, the Board has given reduced weight to appraisal sales #4, #5 and #6, as these properties sold in 2019 and 2020, dates more remote in time to the lien date and thus less likely to be indicative of market value as of January 1, 2022.

The Board finds the best evidence of market value to be appraisal sales #1, #2 and #3 along with board of review comparables #1 and #2 along with some weight given to the sale of the subject property in March 2019 for \$1,730,000 or \$438.09 per square foot of living area, including land. Ordinarily, property is valued based on its fair cash value (also referred to as fair market value), "meaning the amount the property would bring at a voluntary sale where the owner is ready, willing, and able to sell; the buyer is ready, willing, and able to buy; and neither is under a compulsion to do so." Illini Country Club v. Property Tax Appeal Board, 263 Ill.App.3d 410, 418 (4th Dist. 1994); see also 35 ILCS 200/9-145(a). The Illinois Supreme Court has held that a contemporaneous sale of the subject property between parties dealing at arm's length is relevant to the question of fair market value. People ex rel. Korzen v. Belt Ry. Co. of Chicago, 37 Ill.2d 158, 161, 226 N.E.2d 265, 267 (1967). A contemporaneous sale of property between parties dealing at arm's-length is a relevant factor in determining the correctness of an assessment and may be practically conclusive on the issue of whether an assessment is reflective of market value. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369 (1st Dist. 1983), People ex rel. Munson v. Morningside Heights, Inc., 45 Ill.2d 338 (1970), People ex rel. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967); and People ex rel. Rhodes v. Turk, 391 Ill. 424 (1945).

The Board finds the best comparable properties sold from January 2021 to March 2022 for prices ranging from \$850,000 to \$2,425,575 or from \$271.05 to \$614.38 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,730,000 or \$438.09 per square foot of living area, including land, which is well within the range established by the best comparable sales in the record. Moreover, the subject's most recent sale price is identical to the current estimated market value as reflected in the assessment. In conclusion, based on the foregoing evidence, the Property Tax Appeal Board finds a reduction in the subject's assessment is not warranted.

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

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