



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

APPELLANT: Daniel J. Downes
DOCKET NO.: 19-42769.001-R-1
PARCEL NO.: 10-32-414-018-0000

The parties of record before the Property Tax Appeal Board are Daniel J. Downes, the appellant, by attorney Ellen G. Berkshire, of Verros Berkshire in Oakbrook Terrace; 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: \$8,437
IMPR.: \$36,768
TOTAL: \$45,205

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 2019 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 one-story dwelling of masonry exterior construction with 1,567 square feet of living area. The dwelling is approximately 93 years old. Features of the home include an unfinished basement, a fireplace, and a 2-car garage. The property has a 6,250 square foot site located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the subject's improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four comparables located within the same neighborhood code as the subject and from 0.8 to 1.3 miles of the subject. The comparables are improved with class 2-03, one-story dwellings of masonry exterior construction ranging in size from 1,553 to 1,584 square feet of living area. The

dwellings range in age from 67 to 69 years old. One comparable has a crawl space foundation, and three comparables have basements, one of which has finished area. Three comparables each have central air conditioning, and three comparables have either a 1.5-car or a 2-car garage. The comparables have improvement assessments ranging from \$30,177 to \$31,050 or from \$19.05 to \$19.71 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$30,525 or \$19.48 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,205. The subject property has an improvement assessment of \$36,768 or \$23.46 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on four comparables located within the same neighborhood code as the subject and within .25 of a mile from the subject. The comparables are improved with class 2-03, one-story dwellings of masonry exterior construction ranging in size from 1,195 to 1,456 square feet of living area. The dwellings range in age from 78 to 92 years old and have unfinished basements. Three comparables each have a fireplace, and each comparable has either a 1-car or a 2-car garage. The comparables have improvement assessments ranging from \$33,368 to \$37,520 or from \$25.77 to \$29.45 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of eight comparables for the Board's consideration. The Board gives less weight to the appellant's comparables which are less similar to the subject in location, age, and/or foundation type than the other comparables in the record. The Board also gives less weight to the board of review comparables #3 and #4 which differ from the subject in age and/or dwelling size.

The Board finds the best evidence of assessment equity to be the board of review comparables #1 and #2 which are nearly identical in overall property characteristics except for their smaller dwelling sizes. These two comparables have improvement assessments of \$36,038 and \$37,520 or \$26.08 and \$25.77 per square foot of living area, respectively. The subject's improvement assessment of \$36,768 or \$23.46 per square foot of living area is bracketed by the two best comparables in this record on an overall improvement assessment basis and below on a per-square-foot basis. After considering the economies of scale and adjustments to the two best comparables for differences when compared to the subject, the Board finds the appellant did not

demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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: September 19, 2023



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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