



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

APPELLANT: Jerome Wolff  
DOCKET NO.: 07-22246.001-C-1  
PARCEL NO.: 05-34-116-033-0000

The parties of record before the Property Tax Appeal Board are Jerome Wolff, the appellant, by attorney Anthony M. Farace, of Amari & Locallo in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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:** \$ 67,632  
**IMPR.:** \$ 107,695  
**TOTAL:** \$ 175,327

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an 8,899 square foot parcel of land improved with a 50-year old, one-story, masonry, commercial, garage building containing 5,282 square feet of building area. It is located in the Village of Wilmette, New Trier Township, Cook County, and is classified under the Cook County Real Property Assessment Classification Ordinance as Class 5-22 with a level of assessment of 38% as designated for Class 5 commercial property.

The appellant, via counsel, submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant submitted a grid sheet, along with the assessor database printouts and property characteristic cards, detailing six suggested comparable properties. The appellant's evidence indicates they are all class 5-22, one-story, masonry, commercial buildings, located in Wilmette, Winnetka and Northfield, with one comparable located on the same block as the subject. They range in age from 13 to 60 years and in size from 1,353 to 4,899 square feet of building area. The

comparables have improvement assessments ranging from \$19,398 to \$58,074 or from \$11.85 to \$17.87 per square foot of building area. Based on the evidence presented, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$107,695, or \$20.39 per square feet of building area with a total assessment of \$175,327. The subject's final assessment reflects a fair market value of \$461,387 when the Cook County Real Property Assessment Classification Ordinance level of assessments of 38% is applied. The board also submitted a memo, an aerial Sidwell map of the subject, the property characteristic card for the subject as well as raw sales data on five retail/auto repair properties suggested as comparable. The sales occurred between May 2004 and November 2008 for prices ranging from \$575,000 to \$1,050,000 or from \$97.01 to \$201.92 per square foot of building area. The board's memo indicated that these sales have not been adjusted for market conditions such as time, location, age, size and other related factors. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney, as well as the board of review's representative, rested on the evidence previously submitted.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Having considered the evidence presented, the Board concludes that the appellant has not met this burden and that a reduction is not warranted.

The appellant presented assessment data on a total of six equity comparables. The Board does not find these comparables to be similar to the subject in location, improvement size or age. The properties are improved with a one-story commercial building that range in age from 13 to 60 years. The subject property contains 5,282 square feet of building area while five of the six suggested comparables contain between 1,353 and 2,586 square feet of building area. Furthermore, four of the six comparables are located in a different city than the subject property. Accordingly, the appellant has not met the burden of clear and convincing evidence. Additionally, the Board gives little weight to the board of review's evidence as the data is merely raw sales data that has not been adjusted for market conditions including time, location, age, size, land to building ratio, parking, zoning and other related factors.

After considering the evidence submitted, the Board finds the subject's per square foot improvement assessment is supported and 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.



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Chairman



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Member



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Member



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Member



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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: November 30, 2012



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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 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 the subsequent year 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.

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.