



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

APPELLANT: Edwin Frank III  
DOCKET NO.: 08-23759.001-R-1  
PARCEL NO.: 05-17-311-008-0000

The parties of record before the Property Tax Appeal Board are Edwin Frank III, the appellant, by attorney James E. Doherty, of Thomas M. Tully & Associates 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:** \$43,800  
**IMPR:** \$161,151  
**TOTAL:** \$204,951

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a 2-story dwelling of frame construction containing 4,658 square feet of living area. The dwelling is 114 years old. Features of the home include a partial unfinished basement, central air conditioning, 1 fireplace and a 2-car garage. The neighborhood code of the subject property is 22. The property has a 15,000 square foot site and is located in Winnetka, New Trier Township, Cook County.

The appellant's appeal is based on assessment equity and contention of law. The appellant submitted information on eight comparable properties described as 2-story dwellings of stucco, frame, masonry or frame and masonry construction that range in size from 3,942 to 4,823 square feet of living area. The dwellings range in age from 67 to 116 years. No information on neighborhood codes or proximity to the subject was provided for the comparables. Features of the comparables include full or partial basements, two with finished area and 2-car garages. Three comparables feature central air conditioning and seven have 1-3 fireplaces. The comparables have improvement assessments ranging from \$103,849 to \$132,759 or from \$24.95 to \$29.55 per square foot of living area. The subject's improvement assessment is \$161,151 or \$34.60 per square foot of living area. Based on this evidence, the appellant requested a reduction in the

subject's improvement assessment to \$130,424 or \$28.00 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties improved with 2-story dwellings of frame construction that range in size from 4,054 to 4,543 square feet of living area. The dwellings range in age from 91 to 117 years. Each has the same neighborhood code as the subject property. Features of the comparables include full or partial basements, two with finished area, 1 or 2 fireplaces and central air conditioning. Three comparables feature 1, 2 or 2½-car garages. These properties have improvement assessments ranging from \$142,388 to \$200,836 or from \$35.12 to \$48.15 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record 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 Board further finds a reduction in the subject's assessment is not warranted.

The appellant's contention of law argument was given little weight. The appellant argues the market values of comparable properties justified a reduction. The basis for this assertion was conversion of the assessments of the comparables to an estimated market value using the level of assessments in Cook County. Thus, this is no different from analyzing the "raw" assessments as discussed herein previously and no sales were provided to establish market value. The Board gave this argument little weight.

The appellant also contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989); 86 Ill.Admin.Code 1910.63(e). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds 10 of the 12 comparables submitted by both parties differed from the subject in exterior construction and features. The Board finds comparables #1 and #3 submitted by the board of review most similar to the subject in location, size, style, exterior construction and features. Due to these similarities, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$35.12 to \$36.35 per square foot of living area. The subject's improvement assessment of \$34.60 per square foot of living area falls below the range established by the comparables in this record. Based on this record the Board finds the

appellant did not demonstrate with clear and convincing evidence that the subject's improvement assessment was inequitable 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.

*Donald R. Cuit*

Chairman

*[Signature]*

Member

*[Signature]*

Member

*[Signature]*

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: May 24, 2013

*Allen Castrovillari*

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.