



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

APPELLANT: Todd Feldmeir
DOCKET NO.: 08-28015.001-R-1
PARCEL NO.: 04-26-203-115-0000

The parties of record before the Property Tax Appeal Board are Todd Feldmeir, the appellant, by attorney Adam E. Bossov, of the Law Offices of Adam E. Bossov, P.C. 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: \$ 44,200
IMPR.: \$ 172,368
TOTAL: \$ 216,568

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame and masonry construction. The dwelling is eight years old and contains 6,384 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, three fireplaces, and a three and one-half car attached garage. The subject is classified as a class 2-09 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Glenview, Northfield Township, Cook County.

In Section 2e of the residential appeal form, the appellant's attorney indicated that this appeal is based on unequal treatment in the assessment process. The appellant submitted information on seven suggested comparable properties described as two-story dwellings of frame, masonry, or frame and masonry construction. The comparable properties have the same assigned classification and neighborhood codes as the subject. The comparables are said to be located from 0.87 to 1.98 miles from the subject. The comparable dwellings are from one to forty-three years old and contain from 5,795 to 8,867 square feet of living area. One dwelling has a slab foundation; two dwellings have full unfinished basements; and four have finished basements, either full or partial. Each comparable has central air conditioning,

from one to three fireplaces, and an attached garage, from two-car to four-car. The comparables have improvement assessments ranging from \$93,676 to \$222,008 or from \$11.96 to \$25.04 per square foot of living area. The appellant's attorney provided a copy of the board of review's final decision, dated July 10, 2009, wherein the subject's improvement assessment was reduced to \$172,368 or \$27.00 per square foot of living area. The appellant's attorney requested two different reductions to the subject's improvement assessment. In the brief, the appellant's attorney requested that the subject's improvement assessment be reduced to \$130,553 or \$20.45 per square foot of living area. In Section 2c of the residential appeal form, counsel requested that the subject's improvement assessment be reduced to \$125,000 or \$19.58 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$216,568 was disclosed. The board of review presented descriptions and assessment information on four suggested comparable properties consisting of two-story dwellings of frame and masonry or masonry construction. The comparable properties have the same assigned neighborhood and classification codes as the subject. Two of the comparables are located on the same block or tax block as the subject, and another comparable is said to be located one-quarter mile from the subject. The dwellings are from four to ten years old and contain from 5,636 to 6,316 square feet of living area.¹ Two dwellings have full unfinished basements, and two have finished basements, either full or partial. Each comparable has a three or three and one-half car attached garage, central air conditioning, and one or two fireplaces. These properties have improvement assessments ranging from \$163,207 to \$196,238 or from \$28.83 to \$31.07 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 finds a reduction in the subject's assessment is not warranted.

The appellant 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 assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

¹Comparable #1 is described as being of deluxe quality, while the subject and comparables #2 through #4 are described as being of average quality. The subject and comparables #1 and #2 were described as being in an above average state of repair, while comparables #3 and #4 were described as being in an average state of repair.

Both parties presented assessment data on a total of eleven suggested comparables. Although all of the comparables submitted were two-story dwellings with the same neighborhood and classification codes as the subject, the Board finds that six of the appellant's seven comparables differed from the subject in age, size, and/or location. The appellant's comparables #1, #3, and #7 were from 25 to 36 years older than the subject; comparables #3, #5, and #6 were from 23% to 39% larger in size than the subject; and comparables #1 through #3, #6, and #7 were located from 1.77 to 1.98 miles from the subject. As a result, the appellant's comparables #1 through #3 and #5 through #7 received reduced weight in the Board's analysis.

The Board finds the appellant's comparable #4 and the board of review's comparable #4 were very similar to the subject in size and age and were generally similar in location. The Board further finds the board of review's comparables #1 through #3 were very similar to the subject in age and location and were generally similar in size. Moreover, the board of review's comparable #2 was identical to the subject in age; the board of review's comparable #4 and the appellant's comparable #4 were most similar in size; and the board of review's comparables #1 and #3 were located on the same block or tax block as the subject. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$148,907 to \$196,238 or from \$24.09 to \$31.07 per square foot of living area. The subject's improvement assessment of \$172,368 or \$27.00 per square foot of living area falls within the range established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the appellant disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence. For the foregoing reasons, the Board finds that the appellant has not proven by clear and convincing evidence that the subject property is inequitably assessed. Therefore, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is correct and no reduction is 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: July 20, 2012

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.