



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

APPELLANT: Craig Phillips  
DOCKET NO.: 09-29691.001-R-1  
PARCEL NO.: 05-33-209-005-0000

The parties of record before the Property Tax Appeal Board are Craig Phillips, 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 a reduction 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:** \$12,600  
**IMPR.:** \$82,161  
**TOTAL:** \$94,761

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 2009 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 two-story dwelling of frame construction. The dwelling is approximately two years old and has 3,222 square feet of living area. Features of the home include a full finished basement, central air conditioning, a

fireplace and a 2½-car garage. The property has an 8,000 square foot site and is located in Wilmette, New Trier Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant is basing this appeal on assessment inequity as well as on recent construction. In support of the equity argument, the appellant's attorney submitted information on four equity comparables. Counsel also submitted a brief in support of the recent construction argument and a final construction cost spreadsheet.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$121,717. The subject property has an improvement assessment of \$109,117 or \$33.87 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables.

#### 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 met this burden of proof and a reduction in the subject's assessment based on inequity is warranted.

Both parties submitted information on a total of eight suggested equity comparables. The Board finds that five of these comparables differed from the subject in age and/or living area, and another comparable (appellant #1) had an improvement assessment that was an outlier at \$13.97 per square foot of living area. As a result, the appellant's comparables #1 and #4 and the comparables submitted by the board of review received reduced weight in the Board's analysis. The Board finds the best evidence of assessment equity to be appellant's comparables #2 and #3. These comparables were most similar to the subject in living area and were also very similar to the subject in

location, design, age and features. These comparables had improvement assessments of \$25.45 and \$25.57 per square foot of living area. The subject's improvement assessment of \$33.87 per square foot of living area falls above the improvement assessments of the best comparables in this record. Based on this record, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment based on inequity is justified.

The Board gave little weight to the construction costs submitted by the appellant as these occurred more than two years prior to the assessment date and there was no showing these costs included the general contractor fees or any entrepreneurial profit.

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

*Klaus Albino*

\_\_\_\_\_  
Member

*[Signature]*

\_\_\_\_\_  
Member

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Member

*Jerry White*

\_\_\_\_\_  
Acting 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 24, 2015

*[Signature]*

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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.