



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

APPELLANT: Kenneth Schroeder  
DOCKET NO.: 10-34532.001-R-1  
PARCEL NO.: 17-04-205-036-0000

The parties of record before the Property Tax Appeal Board are Kenneth Schroeder, the appellant, by attorney Herbert B. Rosenberg of Schoenberg Finkel Newman & Rosenberg LLC 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:** \$23,100  
**IMPR.:** \$49,400  
**TOTAL:** \$72,500

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 2010 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 three-story multi-family dwelling of masonry construction with 2,769 square feet of living area. The dwelling is 121 years old. Features of the building include four apartments, an unfinished basement, central air conditioning and a fireplace. The property has a 1,848 square foot site and is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-06 property under

the Cook County Real Property Assessment Classification Ordinance.<sup>1</sup>

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$725,000 as of January 1, 2010.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$138,180. The subject's assessment reflects a market value of \$1,381,800, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables, one of which sold in March 2009 for \$3,595,000.

The board of review also submitted a list of 20 sales from the subject's neighborhood that sold from April 1990 to March 2009 for prices ranging from \$670,000 to \$3,950,000.

The appellant's attorney submitted a rebuttal brief critiquing the board of review's submission.

#### Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

As an initial matter regarding the parties' reported differences of the subject property, the Board finds the differences will not impact the Board's decision in this appeal. The Board finds the best evidence of market value to be the appraisal submitted by the appellant estimating the subject property had a market value of \$725,000 as of January 1, 2010. The subject's assessment reflects a market value of \$1,381,800, which is above the appraised value. The Board gave less weight to the equity comparables presented by the board of review. The Board finds this evidence is not responsive to the overvaluation argument made by the appellant. The Board gave less weight to the board of review's list of 20 sale properties, as the information

---

<sup>1</sup> The parties differ as to whether the subject is a single-family residence or multi-family, the size of the subject's lot, the size of the dwelling, whether the subject has a basement or cellar and the number of fireplaces.

submitted did not include property characteristics necessary when analyzing these properties' comparability to the subject. The Board also gave less weight to the March 2009 sale submitted by the board of review, as one unadjusted sale does not overcome the sales data contained in the appellant's appraisal report. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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.

*Mario Alvares*

Chairman

*DR*

Member

*Jerry White*

Acting Member

Member

*Robert Hoffmann*

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: April 22, 2016

*A. Heston*

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.