



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

APPELLANT: James & Mary Binsfeld
DOCKET NO.: 15-20877.001-R-1 through 15-20877.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are James & Mary Binsfeld, the appellants; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-20877.001-R-1	11-32-328-003-0000	8,500	19,590	\$28,090
15-20877.002-R-1	11-32-328-004-0000	4,675	36,863	\$41,538

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 2015 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 two land parcels totaling 7,750 square feet of land containing a 58-year old, two-story, multi-family dwelling of masonry construction with 3,864 square feet of living area. Features of the building include: two apartments, a full basement, two fireplaces and a two and one-half car garage. The property is located in Rogers Park Township, Cook County. The subject is classified as a class 2, residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on six equity comparables. These properties are located within a two-block radius from the subject and are improved with a two-story, masonry, multi-family dwelling. They range: in age from 55 to 99 years; in number of apartments from two to five; in building size from 3,788 to 5,921 square feet of living area; and in improvement

assessments from \$10.63 to \$14.61 per square foot of living area. The appellants' data on the subject's assessment is in error, but was correctly noted at hearing.

At hearing, the appellant, James Binsfield, testified that he has lived in the subject property since 1986 when they had purchased the property and have raised their family there.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,748. The subject property has an improvement assessment of \$57,573 or \$14.90 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on three equity comparables. They are located within one quarter mile radius from the subject and contain a two-story, masonry, multi-family dwelling. The properties range: in age from 95 to 101 years; in units from two to three; in building size from 3,088 to 3,253 square feet of living area; and in improvement assessments from \$15.34 to \$15.55 per square foot of living area. The board of review's representative rested on the written evidence submissions.

At hearing, the appellant testified that he has personal knowledge of the board of review's third property, which he stated was actually a single-family dwelling without any renters therein.

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 *is* warranted.

Initially, the Board finds that the undisputed evidence is that the subject property is owner-occupied. Next, the Board finds the best evidence of assessment equity to be *appellants' comparables #4, #5, and #6*. These comparables had improvement assessments that ranged from \$11.83 to \$14.61 per square foot of living area. The subject's improvement assessment of \$14.90 per square foot of living area falls above the range established by the best comparables in this record. Based on this record, the Board finds the appellant *did* demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment *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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Acting Member



Member



Member

DISSENTING: _____

CERTIFICATION

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: December 19, 2017



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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