



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

APPELLANT: Kenneth Groff
DOCKET NO.: 15-22843.001 -R-1
PARCEL NO.: 09-07-306-023-0000

The parties of record before the Property Tax Appeal Board are Kenneth Groff, the appellant, by attorney John S. Xydakis, of the Law Offices of John S. Xydakis in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$3,825
IMPR.: \$13,683
TOTAL: \$17,508

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 a one-story dwelling of frame construction. The dwelling is approximately 59 years old and has 1,069 square feet of living area. Features of the home include a partial unfinished basement, central air conditioning and a two and one-half car garage. The property has a 7,287-square foot site and is located in Des Plaines, Maine Township, Cook County. The subject is classified as a class 2-03 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 three equity comparables with the same neighborhood and classification codes as the subject. The comparables are improved with one-story dwellings of frame or frame and masonry construction. The dwellings are from 55 to 80 years old and contain from 1,088 to 1,245 square feet of living area. Two of the comparables have basements; each has central air conditioning; and one has a fireplace. Information

regarding garages was not provided on the appellant's grid analysis. The comparables have improvement assessments ranging from \$9,063 to \$12,039 or from \$7.93 to \$9.67 per square foot of living area. The appellant also submitted a map showing the location of the subject property and the comparable properties which revealed that two of the comparables were located in the same general area as the subject. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$10,049 or \$9.40 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 \$17,508 was disclosed. The subject property has an improvement assessment of \$13,683 or \$12.80 per square foot of living area. The board of review presented descriptions and assessment information on four comparable properties with the same neighborhood and classification codes as the subject. Each comparable was located in the same block as the subject property. The comparables are improved with one-story dwellings of frame construction. Each dwelling is 59 years old, and each contains 1,069 square feet of living area. Each comparable has a crawl-space foundation and a two-car garage. Each one of these properties has an improvement assessment of \$14,040 or \$13.13 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties presented assessment data on a total of seven suggested comparables. The Board finds the appellant's comparables #1 and #2 were not located near the subject; comparable #2 was also much older than the subject; and comparable #3 had somewhat more living area than the subject. As a result, the appellant's comparables received reduced weight in the Board's analysis. The Board finds the comparables submitted by the board of review were located in the same block as the subject and were identical to the subject in design, exterior construction, age and living area. Despite differences in features, these comparables were the best evidence of assessment equity in the record. The board of review's comparables had improvement assessments of \$13.13 per square foot of living area. The subject's improvement assessment of \$12.80 per square foot of living area falls below the improvement assessments of the best comparables in this record. The Board considered adjustments and differences in the comparables when compared to the subject. The subject property was described as having a partial basement and central air conditioning, while the board of review comparables were described as having crawl-space foundations but not having central air conditioning. The Board finds the subject enjoyed the superior attributes of a basement and central air conditioning yet had an improvement assessment that was less than the board of review comparables, thus demonstrating the property is not over-assessed. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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.

Mario Alvino

Chairman

K. L. Fan

Member

JR

Member

Robert Hoffmann

Member

Dane DeKinis

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: July 17, 2018

Steve M. Wegman

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.

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PARTIES OF RECORD

AGENCY

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