



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

APPELLANT: Mary & Peter McDonnell  
DOCKET NO.: 15-25085.001-R-1  
PARCEL NO.: 14-29-301-044-0000

The parties of record before the Property Tax Appeal Board are Mary & Peter McDonnell, the appellants, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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:** \$20,467  
**IMPR.:** \$146,711  
**TOTAL:** \$167,178

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 three-story dwelling of masonry construction. The dwelling is approximately 11 years old and has 3,645 square feet of living area. Features of the home include a full finished basement, central air conditioning, three fireplaces and a two and one-half car garage. The property has a 3,198 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend assessment inequity as the basis of the appeal. In support of this argument, the appellants submitted information on three equity comparables. The comparables have the same assigned neighborhood and classification codes as the subject and are located on the same street as the subject. The comparables are improved with three-story dwellings of masonry construction that are 22 or 24 years old. Each comparable has a concrete slab foundation, central air conditioning, one or two fireplaces, and a two-car garage. The

comparable dwellings contain from 3,631 to 3,760 square feet of living area, and their improvement assessments range from \$106,010 to \$116,649 or from \$29.20 to \$31.29 per square foot of living area. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment to \$109,131 or \$29.94 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 \$167,178 was disclosed. The subject property has an improvement assessment of \$146,711 or \$40.25 per square foot of living area. The board of review presented descriptions and assessment information on four suggested comparable properties with the same neighborhood and classification codes as the subject. One of the comparables is located in the same block as the subject, and the other three comparables are located one-quarter mile from the subject. The comparables are improved with three-story dwellings of masonry construction that are from four to nineteen years old. Each comparable has central air conditioning, one or two fireplaces, and a full basement, three of which have finished area. Three comparables have a garage, either two-car or two and one-half car. The comparable dwellings contain from 3,296 to 3,645 square feet of living area, and their improvement assessments range from \$139,297 to \$150,281 or from \$40.33 to \$45.35 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellants' attorney submitted a rebuttal, in which counsel stated that the Cook County Assessor had reduced the subject's 2016 total assessment to \$161,747.

### **Conclusion of Law**

The taxpayers contend 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 appellants 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 appellants' comparables had concrete slab foundations that were dissimilar from the subject's full finished basement. As a result, the appellants' comparables received reduced weight in the Board's analysis. The Board finds the best evidence of assessment equity to be the comparables submitted by the board of review. The Board finds these comparables were more similar to the subject in age and foundation. Three of the board of review comparables had full finished basements like the subject; board of review comparable #2 was most similar to the subject in age; and board of review comparable #3 had the same amount of living area as the subject. The board of review comparables had improvement assessments that ranged from \$40.33 to \$45.35 per square foot of living area. The subject's improvement assessment of \$40.25 per square foot of living area falls below the range established by the best comparables in this record. Based on this record, the Board finds the appellants 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.



Chairman



Member



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: May 15, 2018



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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