



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

APPELLANT: William Miotke
DOCKET NO.: 15-31078.001-R-1
PARCEL NO.: 06-27-311-002-0000

The parties of record before the Property Tax Appeal Board are William Miotke, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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: \$10,961
IMPR.: \$36,157
TOTAL: \$47,118

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 masonry construction with 3,237 square feet of living area. The dwelling is 24 years old. Features of the home include central air conditioning, a three-car attached garage, and a full unfinished basement. The property has a 21,922 square foot site and is located in Bartlett, Hanover Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables. None of the comparables are located within the same neighborhood code as the subject. The comparables consist of two one-story dwellings and three one and a half story dwellings of frame or frame and masonry construction. The comparables are from 7 to 48 years old. Four of the comparables have central air conditioning. All of the comparables have multi-car attached garages. Three of the comparables have full unfinished basements. One comparable has a full basement with a

recreation room. One comparable has a crawl space. The comparables have improvement assessments ranging from \$18,798 to \$32,290 or from \$6.08 to \$10.23 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$47,118. The subject property has an improvement assessment of \$36,157 or \$11.17 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 located within the same neighborhood code as the subject. The comparables consist of one-story dwellings of frame or frame and masonry construction that were 13 to 24 years old. One of the comparables has an unfinished basement. Two of the comparable have formal basement recreation rooms. All of the comparables have central air conditioning and multi-car attached garages. The dwellings range in size from 2,142 to 2,505 square feet of living area, and have improvement assessments ranging from \$23,926 to \$30,874 or from \$11.17 to \$12.32 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 record has eight comparables for the Board's consideration. The Board gave less weight to the appellant's comparables. None of appellant's comparables are in the same neighborhood code as the subject. Comparables #2, #3 and #4 are all one and one-half story dwellings while the subject is a one-story dwelling. Comparables #1 and #5 vary too greatly in age when compared with the subject. Comparable #4 lacks air conditioning and is inferior to the subject. Comparable #3 has only a crawl space and is inferior to the subject. Comparable #5 has a recreation room and is superior to the subject. The Board gave less weight to Comparables #1 and #2 submitted by the board of review since both dwellings have formal recreation rooms in the basement making them superior to the subject.

The Board finds the remaining one equity comparable, board of review comparable #3, to be most similar to the subject in location, design, age, and features. This comparable had an improvement assessment of \$29,450 or \$12.22 per square foot of living area. The subject's improvement assessment of \$36,157 or \$11.17 per square foot of living area is lower than the most similar comparable contained in this record. 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.



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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