



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

APPELLANT: Michael Shelly
DOCKET NO.: 15-35898.001-R-1
PARCEL NO.: 13-36-104-027-0000

The parties of record before the Property Tax Appeal Board are Michael Shelly, the appellant, by attorney David C. Dunkin, of Arnstein & Lehr, LLP 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: \$3,883
IMPR.: \$51,223
TOTAL: \$55,106

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 two-story dwelling of masonry construction. The dwelling is a townhome that is nine years old and has 1,680 square feet of living area. Features of the home include a full finished basement, central air conditioning and a one-car garage. The property has a 1,726 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-95 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 four equity comparables with the same assigned neighborhood and classification codes as the subject. The comparables are improved with three-story, masonry dwellings that are 13 years old. The appellant's grid analysis indicates that each comparable has a concrete slab foundation, central air conditioning, and a one and one-half car garage. Each dwelling has 1,728 square feet of living area, and their improvement

assessments range from \$35,593 to \$35,755 or \$20.60 and \$20.69 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$34,608 or \$20.60 per square foot of living area.

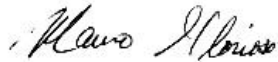
The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$55,106 was disclosed. The subject property has an improvement assessment of \$51,223 or \$30.49 per square foot of living area. The board of review presented descriptions and assessment information on four suggested comparable properties with the same assigned classification code as the subject. Only one of the comparables has the same assigned neighborhood code as the subject, and, based on its parcel index number, this comparable is located next door to the subject property. The comparables are improved with two-story dwellings of frame or masonry construction that are from nine to eighteen years old. Two comparables have full unfinished basements, and two comparables have finished basements, either full or partial. Each comparable has central air conditioning; one comparable has a fireplace; and each comparable has a garage, either one-car or two-car. The appellant's grid analysis indicates the dwellings range in size from 1,218 to 1,680 square feet of living area and their improvement assessments range from \$43,082 to \$51,230 or from \$30.49 to \$35.37 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 eight suggested comparables. The Board finds the best evidence of assessment equity to be the board of review comparable #1. The Board finds this comparable was located next door to the subject property and was identical to the subject in all characteristics. Board of review comparable #1 has an improvement assessment of \$30.49 per square foot of living area, which is identical to the subject's improvement assessment on a square foot basis. The other seven comparables submitted for this appeal were not as similar to the subject property. The appellant's comparables were three-story dwellings with concrete slab foundations that differed from the subject in story height and foundation. Board of review comparables #2 through #4 were located in different neighborhoods and were also somewhat older and had less living area than the subject. Although only one of the comparables submitted was truly similar to the subject, the Board finds that all of the comparables had improvement assessments that ranged from \$20.60 to \$35.37 per square foot of living area. The subject's improvement assessment of \$30.49 per square foot of living area falls within the range established by the comparables 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

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: June 19, 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.

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PARTIES OF RECORD

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