



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

APPELLANT: John Schwan
DOCKET NO.: 16-20068.001-R-1 through 16-20068.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are John Schwan, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
16-20068.001-R-1	01-26-300-031-0000	10,817	89,295	\$100,112
16-20068.002-R-1	01-26-300-032-0000	23,387	0	\$23,387

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 2016 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 improved with an approximately 25-year old, two-story, single-family dwelling of masonry construction with 5,953 square feet of living area. Features of the home include: a full basement, central air conditioning, two fireplaces and a three-car garage. The subject's main parcel is improved, but the subject's second parcel is an unimproved lot resulting in a total land size of 61,812 square feet. The property is located in Barrington 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 three equity comparables. They are improved with a two-story, masonry or frame and masonry, single-family dwelling. The improvements

range: in age from 32 to 41 years; in size from 5,557 to 6,212 square feet of living area; and in improvement assessments from \$13.92 to \$14.42 per square foot. Amenities include: a full basement, central air conditioning, from one to four fireplaces, and from a one and one-half car to a four-car garage.

At hearing, the appellant's attorney asserted that the subject's second parcel is a side lot in land only, while the comparables are located within the subject's subarea.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$123,499 for both parcels. The subject property has an improvement assessment of \$89,295 or \$15.00 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables. They are improved with a two-story, masonry, single-family dwelling located either on the same block as the subject or within the subject's subarea. The improvements range: in age from 18 to 33 years; in size from 5,055 to 7,148 square feet of living area; and in improvement assessments from \$15.36 to \$18.71 per square foot. Amenities include: a partial or full basement, central air conditioning, from one to three fireplaces, and from a three-car to a four-car garage.

At hearing, the board's representative testified regarding the definition of subarea based upon the property's subarea.

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 Board finds the best evidence of assessment equity to be *appellant's comparables #2 and #3 as well as the board of review's comparables #3 and #4*. These four comparables had improvement assessments that ranged from \$13.92 to \$18.71 per square foot of living area. The subject's improvement assessment of \$15.00 per square foot of living area falls within the range established by the best 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



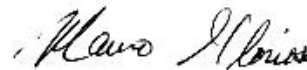
Member

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: April 21, 2020



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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