



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

APPELLANT: Arnim Whisler
DOCKET NO.: 16-20150.001-R-1
PARCEL NO.: 05-20-315-001-0000

The parties of record before the Property Tax Appeal Board are Arnim Whisler, 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: \$33,191
IMPR.: \$150,495
TOTAL: \$183,686

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 is improved with a 2-story masonry dwelling containing 4,488 square feet of living area. The dwelling is 16 years old and features a full basement with finished area, central air conditioning, 4 fireplaces and a 3-car garage. The subject is located in Winnetka, New Trier Township, Cook County. The subject property is classified as a Class 2-08 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and contention of law as the bases of the appeal. In support of the inequity argument the appellant submitted information on five assessment comparables. They consist of 2-story, Class 2-08 dwellings having the same neighborhood code as the subject. They range in size from 4,348 to 4,596 square feet of living area and range in age from 4 to 52 years old. Four comparables have basements, one with finished area. The comparables each have 1 or 2 fireplaces and 2 or 3-car garages. Four have central air

conditioning. The comparables have improvement assessments ranging from \$98,682 to \$126,674 or from \$21.47 to \$27.61 per square foot of living area.

The appellant's attorney also submitted a brief requesting "the 2016 assessment on the subject be revised to reflect a building assessed value of \$26.52 per square foot (median of the comparables cited) which indicates a revised assessment of \$152,212." Based on this evidence, the appellant requested the subject's 2016 improvement assessment be reduced to \$119,021 or \$26.52 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$183,686. The subject property has an improvement assessment of \$150,495 or \$33.53 per square foot of living area.

In support of the subject's assessment, the board of review submitted information on four 2-story Class 2-08 comparables having the same neighborhood code as the subject with one comparable located on the same block as the subject. The dwellings range in size from 4,072 to 4,884 square feet of living area and range in age from 1 to 13 years old. The comparables have full basements, three with finished area, central air conditioning and 2-4 fireplaces each. Three comparables feature 2 or 3-car garages. The comparables have improvement assessments ranging from \$125,325 to \$174,903 or from \$28.54 to \$37.33 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 submitted nine assessment comparables for the Board's consideration. The Board gave less weight to the board of review comparable #3 and comparables #1, #2, #3 and #5 submitted by the appellant due to their dissimilar age and/or lack of basement or unfinished basement when compared to the subject. The Board finds board of review comparables #1, #2 and #4 and appellant's comparable #4 are most similar to the subject in location, age, style, dwelling size and most features. These comparables have improvement assessments ranging from \$122,835 to \$174,903 or from \$27.53 to \$37.33 per square foot of living area. The subject property has an improvement assessment of \$150,495 or \$33.53 per square foot of living area which is within the range established by the most similar comparables in the record on an overall basis as well as a per square foot basis. The Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and no reduction in the subject's improvement assessment is warranted.

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: March 19, 2019



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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