



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

APPELLANT: Cathleen Hammerschlag  
DOCKET NO.: 16-20378.001-R-1  
PARCEL NO.: 11-18-410-011-0000

The parties of record before the Property Tax Appeal Board are Cathleen Hammerschlag, 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:** \$13,125  
**IMPR.:** \$65,674  
**TOTAL:** \$78,799

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 a two-story dwelling of masonry construction with 3,671 square feet of living area. The dwelling is approximately 88 years old. Features of the home include a full finished basement, two fireplaces and a two-car garage. The property has an 8,750 square foot site and is located in Evanston, Evanston Township, Cook County. The subject is classified as a class 2-06 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 five equity comparables with the same classification code as the subject. Two of the comparables have the same neighborhood code as the subject. The comparables are improved with two-story dwellings of frame or frame and masonry construction. The dwellings are from 91 to 128 years old and contain from 3,317 to 3,807 square feet of living area. Each comparable has a full basement, with one having finished

area. Four comparables have central air conditioning; each comparable has one or two fireplaces; and four comparables have garages. The comparables have improvement assessments that range from \$53,886 to \$62,472 or from \$15.71 to \$16.41 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$58,001 or \$15.80 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 \$78,799 was disclosed. The subject property has an improvement assessment of \$65,674 or \$17.89 per square foot of living area. The board of review presented descriptions and assessment information on four comparable properties. The comparables have the same neighborhood and classification codes as the subject and were described as being located near the subject property. The comparables are improved with two-story dwellings of frame or masonry construction. The dwellings are from 87 to 128 years old and contain from 3,100 to 4,058 square feet of living area. Each comparable has a full basement, with two having finished area. Three comparables have central air conditioning; two comparables have fireplaces; and three comparables have garages. One of the comparables was described as being in deluxe condition, while the subject and the other three comparables were described as being of average condition. The comparable properties have improvement assessments that range from \$72,485 to \$109,570 or from \$18.04 to \$35.35 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 nine suggested comparables. The Board finds all of the comparables are two-story dwellings that are generally similar to the subject in age and living area. However, the Board finds the appellant's comparables #1 through #3 and #5 and board of review comparables #1, #2 and #4 have central air conditioning, which the subject property does not have. In addition, the Board finds board of review comparable #4 to be an outlier with an improvement assessment of \$35.35 per square foot of living area that was considerably more than any other comparable in the record. As a result, the appellant's comparables #1 through #3 and #5 and board of review comparables #1, #2 and #4 received reduced weight in the Board's analysis. The Board finds the best evidence of assessment equity to be the appellant's comparable #4 and board of review comparable #3. The Board finds these comparables are the only properties in the record that are similar to the subject in not having central air conditioning. The appellant's comparable #4 and board of review comparable #3 have improvement assessments of \$53,886 and \$72,485 or \$16.25 and \$18.04 per square foot of living area, respectively. The subject's improvement assessment of \$65,674 or \$17.89 per square foot of living area falls between the improvement assessments of the best comparables in this

record. After considering adjustments to the comparables for differences from the subject, 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.

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Chairman



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Member

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Member



\_\_\_\_\_  
Member

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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 18, 2019



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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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