



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

APPELLANT: Frank Smeekes
DOCKET NO.: 16-21327.001-R-1 through 16-21327.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Frank Smeekes, 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
16-21327.001-R-1	05-29-207-001-0000	5,895	31,797	\$37,692
16-21327.002-R-1	05-29-207-002-0000	5,895	31,797	\$37,692

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 parcels improved with a 1.5-story frame and masonry dwelling containing 2,564 square feet of living area. The dwelling is 53 years old and on a slab foundation. It features central air conditioning and a 2-car garage. The subject is located in New Trier Township, Cook County. It is classified as a Class 2-04 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, 1.5-story¹, Class 2-04 comparables. The comparables have the same neighborhood code as the subject. The comparables range in age from 93 to 105 years old and range in size from 1,854 to 2,330 square feet of living area. The

¹ The appellant did not disclose the style of the comparables, but the photographic evidence submitted by the appellant indicates the three comparables are 1.5-story dwellings.

comparables feature basements, one with finished area, and 2-car garages. One comparable features a fireplace and two have central air conditioning. The comparables have improvement assessments ranging from \$42,296 to \$54,270 or from \$22.81 to \$23.29 per square foot of living area. The appellant's attorney submitted an Addendum to Petition disclosing the board of review assessments for each parcel. Each parcel has a land assessment of \$5,895 and an improvement assessment of \$31,797. The appellant's attorney also submitted a brief requesting the subject's total combined assessment for both parcels be reduced to \$65,046. Based on this evidence the appellant requested the subject's improvement assessment for each parcel be reduced to \$26,628 or \$53,256 for both parcels. The requested reduction in the improvement assessment would result in an improvement assessment for the subject of \$20.77 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the combined improvement assessment for both parcels of \$63,594 or \$24.80 per square foot of living area.

In support of the assessment the board of review submitted information on four, 1 or 1.5-story, Class 2-04 comparables having the same neighborhood code as the subject. The comparables range in age from 60 to 78 years old and range in size from 2,287 to 2,621 square feet of living area. Three comparables feature unfinished basements and one is on a crawl-space foundation. Three comparables have central air conditioning. All of the comparables have 1 or 2 fireplaces and 1½ or 2-car garages. The comparables have improvement assessments ranging from \$61,002 to \$68,025 or from \$25.30 to \$26.67 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 appellant 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 a total of seven comparables for the Board's consideration. The Board gives less weight to board of review comparables #1 and #2 due to their 1-story style when compared to the subject's 1.5-story style. The Board also gives less weight to appellant's comparables #1, #2 and #3 due to their smaller dwelling size and/or older dwellings when compared to the subject. The Board gives more weight to board of review comparables #3 and #4 which have varying degrees of similarity to the subject in location, age, style, dwelling size and features. These comparables have improvement assessments of \$66,636 and \$64,262 or \$26.55 and \$25.30 per square foot of living area, respectively. The subject property has an improvement assessment of \$63,594 or \$24.80 per square foot of living area which is supported by the most similar comparables in the record. After considering adjustments to the comparables for differences to 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 improvement assessment based on inequity is not 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: May 21, 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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