



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

APPELLANT: Kevin Kolton  
DOCKET NO.: 16-21339.001-R-1 through 16-21339.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Kevin Kolton, 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 **A Reduction** 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    |
|------------------|--------------------|-------|---------|----------|
| 16-21339.001-R-1 | 05-07-416-025-0000 | 6,988 | 44,525  | \$51,513 |
| 16-21339.002-R-1 | 05-07-416-026-0000 | 6,988 | 44,525  | \$51,513 |

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 2-story masonry dwelling containing 3,562 square feet of living area. The dwelling is 60 years old and features a partial basement with finished area, central air conditioning and a 2-car garage. The subject is located in Glencoe, New Trier Township, Cook County. It is classified as a Class 2-78 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, 2-story, Class 2-78 comparables. The comparables have the same neighborhood code as the subject. The comparables range in age from 48 to 53 years old and range in size from 3,280 to 3,764 square feet of living area. The comparables feature basements, one with finished area, 1 or 2 fireplaces and 2-car garages. Two comparables feature central air conditioning. The comparables have improvement assessments

ranging from \$78,965 to \$91,829 or from \$20.98 to \$25.26 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 \$6,988 and an improvement assessment of \$45,472. The appellant's attorney also submitted a brief requesting the subject's total combined assessment for both parcels be reduced to \$90,624. Based on this evidence the appellant requested the subject's improvement assessment for each parcel be reduced to \$38,324 or a combined total improvement assessment for the subject of \$76,648 or \$21.52 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the improvement assessment for one parcel of the subject. The board of review reports parcel 05-07-416-025-0000 has an improvement assessment of \$45,472.<sup>1</sup> The board of review reported the improvement assessment for the subject's second parcel but reported that information in the grid analysis as comparable #1. The subject's combined improvement assessment for both parcels is \$90,944 or \$25.53 per square foot of living area.

In support of the assessment the board of review submitted information on four, 2-story, Class 2-78 comparables having the same neighborhood code as the subject. Comparable #1 is the second parcel of the subject. Comparables #2 through #4 range in age from 16 to 23 years old and range in size from 3,161 to 3,593 square feet of living area. Comparables #2 through #4 feature basements, one with finished area, central air conditioning, and 2-car garages. Two comparables have fireplaces. Comparables #2 through #4 have improvement assessments ranging from \$94,893 to \$106,437 or from \$29.09 to \$30.02 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of seven comparables for the Board's consideration. The Board gives no weight to board of review comparable #1 as it is the second parcel of the subject. The Board also gives less weight to board of review comparables #2 through #4 due to their newer dwellings when compared to the subject. The Board gives more weight to the appellant's comparables which have varying degrees of similarity to the subject in location, age, style, dwelling size and features. These comparables have improvement assessments ranging from

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<sup>1</sup> In the grid analysis, the board of review used only one parcel, or half the subject's improvement assessment, in calculating the improvement assessments per square foot of both the subject and comparable #1. The board of review used the dwelling size from both parcels resulting in an incorrect improvement assessment per square foot of \$12.77.

\$78,965 to \$91,829 or from \$20.98 to \$25.26 per square foot of living area. The subject property has an improvement assessment of \$90,944 or \$25.53 per square foot of living area which is above the range established by the most similar comparables in the record. After considering adjustments to the comparables for differences to the subject, the Board finds the appellant demonstrated 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 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



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Member



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Member



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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 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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