



## AMENDED

### FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Howard Nixon  
DOCKET NO.: 16-21756.001-R-1  
PARCEL NO.: 05-06-314-025-0000

The parties of record before the Property Tax Appeal Board are Howard Nixon, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC 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:** \$8,118  
**IMPR.:** \$100,033  
**TOTAL:** \$108,151

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 exterior construction with 3,526 square feet of living area. The dwelling is approximately 63 years old. Features of the home include a full finished basement, central air conditioning, a fireplace and a three-car garage. The property has a 5,412 square foot site and is located in Glencoe, New Trier 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 three equity comparables located within the

same neighborhood assessment code as the subject property. The comparables are improved with two-story dwellings of masonry exterior construction that range in age from 86 to 91 years old. The comparables have partial or full basements, two of which are finished, a fireplace and two-car garages. Two comparables have central air conditioning. The dwellings range in size from 3,222 to 4,000 square feet of living area and have improvement assessments ranging from \$65,519 to \$88,383 or from \$20.00 to \$23.76 per square foot of living area. The appellant requested the improvement assessment be reduced to \$75,315 or \$21.36 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 \$108,151. The subject property has an improvement assessment of \$100,033 or \$28.37 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables located within the same neighborhood assessment codes as the subject property. The comparables are improved with two-story dwellings of frame or masonry exterior construction that are 74 or 75 years old. The comparables have partial or full basements, two of which are finished, central air conditioning, one or two fireplaces and one-car or two-car garages. The dwellings range in size from 2,646 to 3,980 square feet of living area and have improvement assessments ranging from \$74,382 to \$80,635 or from \$20.26 to \$28.11 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant critiqued the board of review's submission.

### **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 information on a total of six suggested equity comparables for the Board's consideration. The Board finds that all of the comparables submitted by the parties differed substantially from the subject in dwelling size, age and/or other features. Although none of the comparables was particularly similar to the subject, the Board notes that all of the comparables submitted had improvement assessments that ranged from \$20.00 to \$28.11 per square foot of living area. The subject's improvement assessment of \$28.37 per square foot of living area falls slightly above this range. After considering adjustments and the differences in both parties' comparables for older age, size of living area, unfinished basements and/or smaller garage area when compared to the subject, the Board finds the subject's per square foot improvement assessment is equitable and a reduction in the subject's assessment 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.

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Chairman



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Member

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Member



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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: September 17, 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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