



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

APPELLANT: Erich Lussnig
DOCKET NO.: 16-22521.001-R-1 through 16-22521.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Erich Lussnig, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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
16-22521.001-R-1	05-06-307-009-0000	13,368	0	\$13,368
16-22521.002-R-1	05-06-307-008-0000	16,905	77,702	\$94,607

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 2-story dwelling of masonry exterior construction with 3,311 square feet of living area. The dwelling is approximately 87 years old. Features of the home include a partial finished basement, a fireplace and a 2-car garage. The property has a 14,700 square foot site and is located in Glencoe, New Trier Township, Cook County. The subject is classified as a class 2-34 and 2-41 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellant submitted information on four equity comparables with the same neighborhood and classification codes as the subject property. The comparables are improved with 2-story dwellings that range in age from 86 to 92 years old. The comparables have partial or full unfinished basements and 2-car garages. One of

the comparables has central air conditioning and three of the comparables have a fireplace. The dwellings range in size from 3,263 to 3,363 square feet of living area and have improvement assessments ranging from \$57,673 to \$68,634 or from \$17.34 to \$20.50 per square foot of living area. The appellant requested the improvement assessment be reduced to \$61,849 or \$18.68 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 \$107,975. The subject property has an improvement assessment of \$77,702 or \$23.47 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables with the same neighborhood and classification codes as the subject property. The comparables are improved with 2-story dwellings that range in age from 75 to 89 years old. The comparables have partial or full basements, one of which has finished area, one or two fireplaces and from 1-car to 2-car garages. Two of the comparables have central air conditioning. The dwellings range in size from 2,824 to 3,556 square feet of living area and have improvement assessments ranging from \$69,250 to \$84,242 or from \$23.69 to \$24.52 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 noting the evidence is not comparable to the subject "in terms of living square footage." Counsel also requested the Board take judicial notice that the appellant submitted a 2017 board of review decision that indicates the subject's total assessment was reduced to \$95,367.

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 eight suggested equity comparables for the Board's consideration. The Board gave less weight to the board of review's comparables #3 and #4 due to their newer age or smaller dwelling size when compared to the subject property. The Board finds the appellant's comparables and board of review comparables #1 and #2 are more similar when compared to the subject in location, age, dwelling size, design and most features. These comparables had improvement assessments ranging from \$17.34 to \$23.99 per square foot of living area. The subject's improvement assessment of \$23.47 per square foot of living area falls within the range established by the best comparables contained in this record. Based on this record, 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.

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The appellant also submitted a copy of the 2017 board of review decision that indicates the subject's total assessment was reduced to \$95,367. The Board finds the comparables support the current assessment, therefore, the Board find a reduction on this basis 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: July 16, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Erich Lussnig, by attorney:
Joanne Elliott
Elliott & Associates, P.C.
1430 Lee Street
Des Plaines, IL 60018

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602