



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

APPELLANT: Adam Blough
DOCKET NO.: 16-24727.001-R-1
PARCEL NO.: 10-13-105-004-0000

The parties of record before the Property Tax Appeal Board are Adam Blough, the appellant(s); 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: \$5,704
IMPR.: \$12,680
TOTAL: \$18,384

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 is an 84 year-old, one-story dwelling of frame construction. The property has a 6,338 square foot site located in Evanston Township, Cook County. It is a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. In support of the assessment inequity argument, the appellant submitted information on six suggested equity comparables. In support of the overvaluation argument, the appellant submitted information on three suggested comparable sales. In his brief, the appellant argued that the subject contained 947 square feet of living area when excluding an enclosed basement stairwell. In support of this contention, the appellant attached a Plat of Survey dated December 16, 2013; an illegible Plat of Survey dated January 16, 2013 and notated "Prior to Renovations;" a sketch;

and photographs of the exterior and interior of the dwelling. The appellant argued that the change of living area should result in a change in the classification of the subject under the Cook County Real Property Assessment Classification Ordinance from 2-03 to 2-02.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$18,590. The board of review's evidence disclosed the subject contained 1,287 square feet of living area. The evidence included a photograph depicting the subject dwelling reveal upper-floor living area. The subject property has an improvement assessment of \$12,886, or \$10.01 per square foot of living area based on 1,287 square feet. The subject's assessment reflects a market value of \$185,900, or \$144.44 per square foot of living area, based on 1,287 square feet, including land, when applying the 2016 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted information on four suggested equity comparables and on four suggested sale comparables.

Conclusion of Law

The Board finds the evidence the appellant submitted in support of his contention that the subject contained 947 square feet of living area did not meet the statutory burden of proof. "Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence." 5 ILCS 100/10-15. The Plats of Survey and sketch do not disclose detailed square footage of a basement stairwell. Indeed, the appellant's sketch states the first floor alone had 1,045 square feet, and the sketch is not dated. Since the appellant has not sustained the burden of proof by a preponderance of the evidence that the subject contains 947 square feet of living area, the Board finds that the subject contains 1,287 square feet of living area as asserted by the board of review. Therefore, the Board need not address the appellant's issue regarding the proper classification of the subject property.

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 Board finds the best evidence of assessment equity to be board of review's comparables #1, #2, #3 and #4. These comparables had improvement assessments that ranged from \$12.22 to \$18.00 per square foot of living area. The subject's improvement assessment of \$10.01 per square foot of living area falls below the range established by the best comparables 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 holds that a reduction in the subject's assessment based on assessment inequity is not justified.

The appellant also contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the board of review comparable sales #1, #2, #3 and #4. These comparables sold for prices ranging from \$155.96 to \$213.35 per square foot of living area, including land. The subject's assessment reflects a market value of \$144.44 per square foot of living area including land, which is below the range established by the best comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment based on overvaluation 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.



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: December 18, 2018



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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