



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

APPELLANT: Timothy J. McNicholas  
DOCKET NO.: 16-27915.001-R-1  
PARCEL NO.: 24-14-109-038-0000

The parties of record before the Property Tax Appeal Board are Timothy J. McNicholas, the appellant, by attorney Mary Kate Gorman, Attorney at Law 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:** \$4,284  
**IMPR.:** \$16,919  
**TOTAL:** \$21,203

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 one-story dwelling of masonry exterior construction with 956 square feet of living area. The dwelling is approximately 59 years old. Features of the home include a full unfinished basement and one-car garage. The property has a 5,040 square foot site and is located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-02 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 three equity comparables with two comparables located in the same neighborhood code as the subject property. The comparables are improved with one-story dwellings of frame, masonry, or frame and masonry exterior construction ranging in size from 852 to 990 square feet of living area. The comparables range in age from 58 to 64 years old. One comparable has central air

conditioning. The appellant's attorney did not indicate whether any of the comparables had a basement or a garage. The comparables have improvement assessments ranging from \$13,248 to \$15,515 or from \$14.93 to \$16.54 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$14,273 or \$14.93 per square foot.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$21,203. The subject property has an improvement assessment of \$16,919 or \$17.70 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 located on the same block as the subject property. The comparables range in age from 60 to 65 years old. Copies of photographs depict two comparables as improved with one-story dwellings and two comparables improved with multi-story dwellings of masonry exterior construction that range in size from 889 to 919 square feet of living area. Each comparable has a basement with one comparable having a finished area and each comparable has a 1.5 car or two-car garage. The comparables have improvement assessments ranging from \$21,603 to \$22,647 or from \$19.04 to \$19.87 per square foot of living area. Based on this evidence, the board of review requested the assessment be confirmed.

### **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 seven assessment equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables due to nondisclosure of a basement when compared to the subject's full basement. The Board gave less weight to the board of review's comparables #2 and #3 based on their multi-story design.

The Board finds the best evidence of assessment equity to be the board of review comparables #1 and #4. These comparables are most similar to the subject in location, dwelling size, design, exterior construction, and features when compared to the subject property. These comparables had improvement assessments of \$21,603 and \$22,307 or \$19.04 and \$19.58 per square foot of living area. The subject's improvement assessment of \$16,919 or \$17.70 per square foot of living area falls below 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 a reduction in the subject's assessment 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.

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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: October 15, 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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