



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

APPELLANT: Terry Yormark II
DOCKET NO.: 16-30045.001-R-1 through 16-30045.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Terry Yormark II, 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 **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
16-30045.001-R-1	12-09-416-056-0000	\$2,578	\$15,383	\$17,961
16-30045.002-R-1	12-09-416-014-0000	\$458	\$0	\$458

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. Parcel #1 has a one-story dwelling of masonry exterior construction with 1,082 square feet of living area. The dwelling is approximately 49 years old. Features of the home include a full basement with finished area. Parcel #2 has a land assessment with no improvement assessment to the property. The subject's two parcels are located in Schiller Park, Leyden Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant submitted a copy of the final decision of the Cook County Board of Review dated February 7, 2017 for the 2016 assessment year concerning the two parcels which depicts assessments of \$17,961 for Parcel #1 (PIN 12-09-416-056-0000) and \$458 for Parcel #2 (PIN 12-09-416-014-0000). The subject's two parcels have a combined total assessment of \$18,419. The attorney for the appellant submitted its "Residential Appeal" with a "Comparable

Sales/Assessment Grid Analysis”, “Addendum to Petition” showing a separate listing of each individual parcel’s land and improvement assessments, and a supplemental “Brief” from the appellant’s attorney.

The appellant contends improvement assessment inequity as the basis of the appeal for Parcel #1 and did not contest the land assessments for either of the subject’s two parcels. In support of this argument, the appellant submitted information on three equity comparables that are located within the same neighborhood code as the subject. The comparables are improved with one-story dwellings of frame or masonry exterior construction containing from 1,008 to 1,320 square feet of living area. The dwellings range in age from 66 to 70 years old. One comparable has a full unfinished basement, one comparable has a concrete slab foundation and one comparable has a crawl space foundation. One comparable has central air conditioning and one comparable has a fireplace. The comparables have a 1.5-car or 2-car garage. The comparables have improvement assessments that range from \$7,297 to \$12,706 or from \$7.24 to \$9.63 per square foot of living area. Based on this evidence, the appellant requested that the subject’s improvement assessment for Parcel #1 be reduced to \$8,739 or \$8.08 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject’s total assessment for Parcel #1 of \$17,961. Parcel #1 has an improvement assessment of \$15,383 or \$14.22 per square foot of living area. In support of its contention of the correct assessment for Parcel #1, the board of review submitted information on four equity comparables that are located within the same neighborhood code and on the same block as the subject. The comparables are improved with one-story dwellings of masonry exterior construction containing from 1,044 to 1,082 square feet of living area. The dwellings are 49 or 50 years old. The comparables have full unfinished basements and a 1-car or 2-car garage. Three comparables have central air conditioning. The comparables have improvement assessments that range from \$15,294 to \$16,396 or from \$14.47 to \$15.28 per square foot of living area. Based on this evidence, the board of review requested that the subject’s 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 suggested comparables for Parcel #1 for the Board’s consideration. The Board gives less weight to the appellant’s comparable #1 because of its inferior frame exterior construction when compared to the subject’s masonry exterior construction. The Board gave less weight to the appellant comparables #2 and #3 because of their inferior concrete slab and crawl space foundations when compared to the subject’s full basement with a finished area.

The Board finds the best evidence of assessment equity for Parcel #1 to be the board of review comparables as they are most similar to the subject in location, design, age, dwelling size and some features. These comparables have improvement assessments ranging from \$15,294 to \$16,396 or from \$14.47 to \$15.28 per square foot of living area. The subject's improvement assessment for Parcel #1 of \$15,383 or \$14.22 per square foot of living area is supported by the best comparables in this record. After considering adjustments to the comparables when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement for Parcel #1 was inequitably assessed and a reduction in the subject's assessment is not justified.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that the properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence.

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

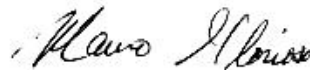
Member

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: November 19, 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

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