



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

APPELLANT: Rob Frazer
DOCKET NO.: 17-20189.001-R-1
PARCEL NO.: 11-18-104-035-0000

The parties of record before the Property Tax Appeal Board are Rob Frazer, 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:

LAND: \$4,851
IMPR.: \$42,453
TOTAL: \$47,304

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 2017 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 multi-family dwelling of stucco exterior construction with 2,800 square feet of living area. The dwelling is approximately 112 years old. Features of the home include a full unfinished basement and one fireplace. The property has a 3,465 square foot site and is located in Evanston, Evanston Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends improvement assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables located in the same neighborhood code as the subject. The comparables are improved with two-story or three-story multi-family dwellings of frame or masonry exterior construction ranging in size from 2,640 to 4,464 square feet of living area. The comparables range in age from 85 to 123 years

old. Each comparable has a full basement with two having finished area or apartment. Two comparables have a 2-car or a 2.5-car garage. The comparables have improvement assessments ranging from \$25,456 to \$56,453 or from \$9.64 to \$13.33 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$33,012 or \$11.79 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" for a different parcel than the subject. Furthermore, the board of review's evidence included comparables for class 2-05 dwellings that are located in a different neighborhood than the subject property.

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 Board finds the evidence submitted by the board of review is for a different parcel, and the comparables are for properties with different class and neighborhood codes other than the subject. Therefore, the Board gave no weight to this evidence. In addition, the Board recognized that the appellant's comparable #1 appears to be an outlier when compared to the other comparables contained in this record with significantly lower total and per square foot assessments for which no explanation was provided.

The appellant submitted three assessment comparables for the Board's consideration. The Board gave more weight to the appellant's comparables #2 and #3 but finds none of these comparable properties are truly similar to the subject due to their newer ages, larger dwelling sizes, difference in story height and/or finished basement. However, these comparables are similar in class code, location, and features, except one comparable has a garage which the subject lacks. These comparables have improvement assessments of \$55,374 and \$56,453 or \$12.40 and \$13.33 per square foot of living area. However, the subject's improvement assessment of \$42,453 or \$15.16 is supported by the appellant's comparables. Accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher per square foot improvement assessment is well justified given its smaller size. Therefore, no reduction in the subject's improvement assessment is warranted.

The Board has examined the information submitted by the appellant and finds a reduction in the assessed valuation of the subject property is not justified taking into account the required adjustments for differences between the subject and the comparables.

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: February 18, 2020



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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