



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

APPELLANT: Alexander Nekrasov
DOCKET NO.: 17-20919.001-R-1
PARCEL NO.: 15-01-409-019-0000

The parties of record before the Property Tax Appeal Board are Alexander Nekrasov, the appellant, by attorney Michael R. Davies, of Ryan Law LLP 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: \$8,930
IMPR.: \$64,807
TOTAL: \$73,737

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 dwelling of frame and masonry exterior construction with 3,332 square feet of living area.¹ The dwelling is 99 years old. Features of the home include a full unfinished basement, central air conditioning, and one fireplace. The property has a 9,400 square foot site and is located in River Forest, River Forest Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables that are located within a different neighborhood code than the subject. The

¹ The subject's information was provided by the appellant only. It appears the board of review submitted data on a different parcel other than the subject property under appeal.

comparables are improved with two-story dwellings of masonry or frame and masonry exterior construction containing from 3,148 to 3,361 square feet of living area. The dwellings are 64 or 67 years old, have a basement with finished area, central air conditioning, one or two fireplaces, and a 1.5-car or a 2-car garage. The comparables have improvement assessments that range from \$52,357 to \$56,214 or either \$16.63 or \$16.73 per square foot of living area.

The appellant submitted a copy of the 2017 final decision issued by the Cook County Board of Review disclosing the subject was a Class 2-06 property and establishing a total assessment for the subject of \$73,737. The subject property has an improvement assessment of \$64,807 or \$19.44 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$55,411 or \$16.63 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. However, the board of review submitted information on four equity comparables for similar Class 2-06 properties that are located within the same neighborhood code as the subject. The comparables are improved with two-story dwellings of frame exterior construction containing from 2,820 to 3,662 square feet of living area. The dwellings range in age from 93 to 99 years old and each has a basement, one of which has finished area. Two comparables have central air conditioning, each comparable has one fireplace, and three comparables have a 2-car or a 3-car garage. The comparables have improvement assessments that range from \$55,977 to \$76,441 or from \$19.85 to \$21.45 per square foot of living area.

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 the Board's consideration. The Board gives less weight to the appellant's comparables due to their dwellings considerably newer ages of 64 or 67 years old when compared to the 99-year-old subject dwelling, and the fact each has a different assessment neighborhood code than the subject property. The Board also gives less weight to the board of review comparable #4 due to its considerably larger dwelling size.

The Board finds the best evidence of assessment equity to be the board of review comparables #1 through #3. These comparables are closer in age to the subject dwelling and most similar to the subject in location, design, dwelling size, and some features. These comparables have improvement assessments ranging from \$19.85 to \$21.45 per square foot of living area. The subject's improvement assessment of \$19.44 per square foot of living area falls below the range established by three most similar comparables in this record. After considering adjustments to the comparables for differences when compared to the subject, 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.

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: October 20, 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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