



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

APPELLANT: Karl Birkenstock
DOCKET NO.: 17-21073.001-R-1
PARCEL NO.: 01-10-404-006-0000

The parties of record before the Property Tax Appeal Board are Karl Birkenstock, the appellant, by Amy C. Floyd, 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: \$14,799
IMPR.: \$49,543
TOTAL: \$64,342

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 1-story dwelling of masonry exterior construction with 2,678 square feet of living area. The dwelling is approximately 32 years old. Features of the home include a full basement with finished area, central air conditioning, and a three-car garage. The property has a 197,327 square foot site and is located in Barrington, Barrington Township, Cook County. The subject is classified as a class 2-04 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 four equity

comparables that are located within the same neighborhood code as the subject property.¹ The comparables are improved with 1-story or 1.5-story dwellings of frame or masonry exterior construction ranging in size from 2,679 to 3,337 square feet of living area. The dwellings range in age from 26 to 108 years old, have a partial or full basement and central air conditioning. The appellant has reported “yes” for each comparable in the fireplace section of the grid analysis. The comparables have improvement assessments ranging from \$39,812 to \$53,292 or from \$14.86 to \$15.97 per square foot of living area. Based on this evidence, the appellant requested that the subject’s improvement assessment be reduced to \$39,956 or \$14.92 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,342. The subject property has an improvement assessment of \$49,543 or \$18.50 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 that are located within the same neighborhood code as the subject property. The comparables are improved with 1-story dwellings of frame and masonry or masonry exterior construction ranging in size from 2,932 to 3,357 square feet of living area. The dwellings range in age from 50 to 60 years old and have partial or full basements, three of which have finished areas. Each comparable has central air conditioning, from one to three fireplaces, and a garage ranging in size from a 2.5-car to a 4-car. The comparables have improvement assessments ranging from \$54,961 to \$67,492 or from \$18.56 to \$20.71 per square foot of living area. Based on this evidence, the board of review requested that 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 eight suggested comparables for the Board’s consideration. The Board gives less weight to the appellant’s evidence as they did not provide adequate information about the dwellings’ features or amenities, which would assist the Property Tax Appeal Board in conducting a meaningful analysis to determine their comparability or similarity to the property under appeal. In order for the Board to properly evaluate the comparables, it is necessary to have the salient characteristics associated with the dwellings so as to be able to determine the degree of comparability and possible adjustments needed to the properties to make them more equivalent to the subject property. Conversely, the board of review analysis included salient facts about the comparables for each comparable, which adds credibility to its evidence.

¹ The appellant’s attorney provided limited information regarding the features of the comparables such as the number of fireplaces, basement descriptions and whether or not the properties have a garage.

The Board also gives less weight to the board of review comparables #1 and #4 because of their larger dwelling sizes when compared to the subject property.

The Board finds the best evidence of assessment equity to be the board of review comparables #2 and #3. These comparables are similar to the subject in location, design, and some features, though the dwellings are considerably older in age and larger in size when compared to the subject. These two comparables have improvement assessments of \$18.56 and \$20.11 per square foot of living area, respectively. The subject has an improvement assessment of \$18.50 per square foot of living area, which is slightly below the two best comparables contained 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.

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: September 15, 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

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