



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

APPELLANT: Thomas Paustek
DOCKET NO.: 17-21734.001-R-1
PARCEL NO.: 01-02-300-030-0000

The parties of record before the Property Tax Appeal Board are Thomas Paustek, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company, in Mundelein, and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$16,335
IMPR.: \$76,980
TOTAL: \$93,315

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 exterior construction with 5,132 square feet of living area. The dwelling is approximately 50 years old. Features of the home include a full basement with a formal recreation room, central air conditioning, a fireplace and a three-car garage. The property has a 217,800 square foot site and is located in Barrington Hills, Barrington Township, Cook County. The subject is classified as a class 2-09 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 five equity comparables located in the same neighborhood code as the subject property. The comparables consist of either one-story or two-story dwellings of frame, masonry or frame and masonry exterior construction. The dwellings range in age from 47 to 122 years old and range in size from 3,998 to 5,780 square feet

of living area. Each dwelling has either a full or partial basement, two of which have formal recreation rooms. Each dwelling has central air conditioning, one to three fireplaces and from a one-car to a four-car garage. The comparables have improvement assessments ranging from \$57,527 to \$101,833 or from \$12.53 to \$17.64 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$64,304 or \$12.53 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 \$112,929. The subject property has an improvement assessment of \$96,594 or \$18.82 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 in the same neighborhood code as the subject property. The comparables consist of one-story dwellings of frame or masonry exterior construction. The dwellings range in age from 37 to 54 years old and range in size from 1,660 to 2,792 square feet of living area. Three of the dwellings have a full or partial basement with a formal recreation room and one comparable has a concrete slab foundation. Each dwelling has central air conditioning, one or two fireplaces and either a 2-car or a 2.5-car garage. Comparables #3 and #4 each have other improvements that are not further described in the board of review's submission. The comparables have improvement assessments ranging from \$37,387 to \$57,868 or from \$20.46 to \$26.14 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, counsel for the appellant noted only one of the board of review's comparables is located on the same street as the subject property. Furthermore, counsel argued that none of the comparable properties are two-story dwellings like the subject and differ substantially in dwelling size when compared to the subject.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of nine equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #4 and #5 and the board of review comparables due to substantial differences in story height, age and/or dwelling size when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparables #2 and #3 which present varying degrees of similarity to the subject in age, size and/or other features. These comparables had improvement assessments of \$57,527 and \$74,287 or of \$12.53 and

\$16.27 per square foot of living area. The subject's improvement assessment of \$96,594 or \$18.82 per square foot of living area falls above the best two comparables in this record. After giving due consideration for appropriate adjustments to these comparables for differences in age, size and/or garage size, on this limited record, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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: August 24, 2021



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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