



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

APPELLANT: Stephen Westman
DOCKET NO.: 17-22057.001-R-1
PARCEL NO.: 14-07-210-023-0000

The parties of record before the Property Tax Appeal Board are Stephen Westman, the appellant(s), by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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: \$11,250
IMPR.: \$41,170
TOTAL: \$52,420

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 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 3,125 square foot parcel of land improved with an eight-year old, one and one-half story, frame, single-family dwelling containing 1,504 square feet of building area. The property is located in Chicago, Lake View Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and inequity as the bases of the appeal. In support of the market value argument, the appellant argued the subject was purchased on March 1, 2017 for \$376,700.

In support of the equity argument, the appellant data on five comparables. These properties are described as one or one and one-half story, masonry, single-family dwellings. They range: in age

from 57 to 71 years; in size from 1,172 to 1,428 square feet of building area; and in improvement assessment from \$21.48 to \$24.55 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's assessment of \$52,420 which reflects a market value of \$524,200 using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. The improvement assessment is \$41,170 or \$27.37 per square foot of building area.

In support of the current assessment, the board of review submitted three comparables. These properties are described as one or one and one-half story, frame or masonry, single family dwellings. They range: in age from seven to 117 years; in size from 1,076 to 1,492 square feet of building area; and in improvement assessment from \$23.11 to \$27.62 per square foot of building area. Comparables #1 sold in April 2016 for \$596.15 per square foot of building area while comparable #2 sold in June 2016 for \$529.49 per square foot of building area. The board also listed a sale for the subject in April 2017 for \$376,700.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c).

The Board finds the appellant submitted insufficient evidence to support the sale of the subject. The appellant failed to completely fill out section IV of the petition which addresses recent sales. The appellant only listed a sale date and price with no further information. In addition, the sale date listed by the appellant differs from that listed by the board of review. The Board further finds the board of review's two sales comparables support the subject's market value based on the assessment. Therefore, based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not justified.

The taxpayer also 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 best evidence of assessment equity to be the appellant's comparables #1 and #3 and the board of review's comparable #2. These comparables had improvement assessments ranging from \$21.48 to \$27.62 per square foot of building area. The Board further finds that the most similar comparable is the board of review's comparable #2 which is similar in design, construction, size, and age; it has an improvement assessment of \$27.62 per square foot of building area. The remaining comparables were given diminished weight due to differences in

size or construction. The subject's improvement assessment of \$27.37 per square foot of building area is within the range of the best comparables in this record. Based on this record 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: 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

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