



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

APPELLANT: Bob Criswell
DOCKET NO.: 17-22887.001-R-1
PARCEL NO.: 05-27-416-017-0000

The parties of record before the Property Tax Appeal Board are Bob Criswell, 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 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: \$28,200
IMPR.: \$84,300
TOTAL: \$112,500

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 4,616 square feet of living area. The dwelling is approximately 4 years old. Features of the home include a full basement with finished area, central air conditioning, two fireplaces and 2-car garage. The property has a 14,100 square foot site and is located in Winnetka, New Trier Township, Cook County. The subject is classified as a class 2-08 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellant submitted information on three equity comparables located in the same neighborhood code as the subject. The comparables were improved with class 2-08 dwellings of stucco or masonry exterior construction that range in age from 1 to 59 years old. Two comparables have either a partial or a full unfinished basement and one comparable has a concrete-slab foundation. Each comparable has central air conditioning, one or two fireplaces and a 2-car or a 2.5-car garage. The dwellings

range in size from 4,005 to 4,180 square feet of living area and have improvement assessments ranging from \$122,236 to \$136,221 or from \$30.52 to \$33.12 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$147,389 or \$31.93 per square foot of living area.

The appellant submitted their 2017 Board of Review decision that disclosed a final assessment of \$209,101.

The board of review submitted its "Board of Review Notes on Appeal" for a different parcel than the subject¹. The board of review submitted information on four equity comparables located in the same neighborhood code as the subject. The comparables were improved two-story class 2-08 dwellings of stucco exterior construction that range in size from 3,257 to 3,753 square feet of living area and range in age from 98 and 111 years old. Each comparable has a full unfinished basement with two comparables having finished area, one comparable has central air conditioning, each comparable has one or two fireplaces and a 2-car garage. The comparables have improvement assessments that range from \$94,649 to \$107,073 or from \$28.53 to \$30.97 per square foot of living area. Based on this evidence, the board of review requested that the assessment be confirmed.

Conclusion of Law

The Property Tax Appeal Board finds the subject property was the subject matter of an appeal before this Board a prior tax year under Docket Number 16-20871.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$112,500. The Property Tax Appeal Board finds the record shows the subject property is located in New Trier Township, Cook County, in which the triennial general assessment period began with the 2016 tax year and continues through the 2018 tax year. In addition, there is no evidence in the record that indicates the subject subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or the decision of the Property Tax Appeal Board is reversed or modified upon review. As a result, the Board further finds section 16-185 of the Property Tax Code is controlling in this appeal. (35 ILCS 200/16-185).

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 on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (35 ILCS 200/16-185)

¹The property used by the board of review is incorrect. The board of review used parcel 05-27-415-017-0000, which is an incorrect block number.

The Board finds this record disclosed the subject property is an owner-occupied residence and that the 2016 and 2017 tax years are within the same general assessment period. The record contains no evidence showing the Board's 2016 decision was reversed or modified upon review or that the subject property sold in an arm's-length transaction establishing a different fair cash value. For these reasons, the Board finds its 2016 decision reflecting an assessment of \$112,500 shall be carried forward to the subsequent 2017 tax year.

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 21, 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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