



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

APPELLANT: Cory Franklin  
DOCKET NO.: 17-22973.001-R-1  
PARCEL NO.: 05-29-421-008-0000

The parties of record before the Property Tax Appeal Board are Cory Franklin, 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:** \$17,400  
**IMPR.:** \$59,996  
**TOTAL:** \$77,396

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 masonry exterior construction with 3,405 square feet of living area. The dwelling is approximately 68 years old. Features of the home include a concrete slab foundation and a one-car garage. The property has a 12,000 square foot site located in Wilmette, New Trier 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 the same neighborhood code as the subject property. The comparables are improved with two-story dwellings of frame, masonry or frame and masonry exterior construction ranging in size from 3,427 to 3,842 square feet of living area. The comparables range in age from 65 to 88 years old. Two comparables have basements with one

having finished area and one comparable has a concrete slab foundation. Two comparables have central air conditioning. Each comparable has one or two fireplaces and a two-car or a four-car garage. The comparables have improvement assessments ranging from \$58,614 to \$69,090 or from \$16.43 to \$18.44 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$59,996 or \$17.62 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 \$85,503. The subject property has an improvement assessment of \$68,103 or \$20.00 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 two-story dwellings of masonry exterior construction ranging in size from 2,890 to 3,266 square feet of living area. The comparables range in age from 64 to 86 years old. Each comparable has a basement with two having finished area. Each comparable has central air conditioning, one or two fireplaces and a one-car or a two-car garage. The comparables have improvement assessments ranging from \$67,698 to \$84,051 or from \$21.70 to \$26.46 per square foot of living area. Based on this evidence, the board of review requested 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted seven suggested comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #2 and #3 and the board of review's comparables due to their basements in contrast to the subject's concrete slab foundation. In addition, these comparables were superior to the subject in other property attributes including number of fireplaces, central air conditioning and/or larger garages.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1 as it was the only comparable with a concrete slab foundation and it was also similar to the subject property in location, design, age and dwelling size; except it had two fireplaces and a larger garage in contrast to the subject. This comparable has an improvement assessment of \$58,614 or \$16.43 per square foot of living area. The subject's improvement assessment of \$68,103 or \$20.00 per square foot of living area exceeds the assessment of the best comparable in this record and is not supported. After considering adjustments to this comparable for differences when compared to the subject, the Board finds the subject's improvement assessment is not supported 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:

December 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

AGENCY

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