



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

APPELLANT: Terrance Maxwell
DOCKET NO.: 17-23081.001-R-1
PARCEL NO.: 05-34-403-005-0000

The parties of record before the Property Tax Appeal Board are Terrance Maxwell, 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: \$17,100
IMPR.: \$66,275
TOTAL: \$83,375

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 stucco exterior construction with 2,651 square feet of living area. The dwelling is approximately 113 years old. Features of the home include a full unfinished basement, central air conditioning, one fireplace and a 2-car garage. The property has a 9,000 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 class 2-06 dwellings of stucco exterior construction ranging in size from 3,126 to 4,322 square feet of living area. The comparables are either 93 or 118 years

old. The comparables have partial or full basements, two of which have finished area. Two comparables each have central air conditioning and one or three fireplaces. Each comparable has a 2-car or a 2.5-car garage. The comparables have improvement assessments ranging from \$68,278 to \$90,831 or \$21.02 and \$21.84 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$56,440 or \$21.29 per square foot of living area.

The appellant's submission included a copy of the "Cook County Board of Review" final decision dated December 2, 2017 disclosing the subject has a total assessment of \$88,995. The submission by the appellant also revealed that the subject has a land assessment of \$17,100 and an improvement assessment of \$71,895 or \$27.12 per square foot of living area.

The board of review did not submit its "Board of Review Note on Appeal" nor any evidence in support of its assessed valuation of the subject property and was found to be in default by letter dated August 15, 2019.

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.

Initially, the Board finds the board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board.

The Board finds the only evidence of assessment equity was submitted by the appellant. Each of the appellant's comparables is larger than the subject dwelling suggesting that upward adjustments would be appropriate to the comparables due to economies of scale. Comparable #1 is superior to the subject with finished basement area and two additional fireplaces, requiring downward adjustments; comparable #2 is inferior to the subject due to the lack of central air conditioning and no fireplace, requiring upward adjustments; and comparable #3 is superior to the subject with finished basement area, requiring a downward adjustment. The comparables have improvement assessments of \$21.02 and \$21.84 per square foot of living area. The subject's improvement assessment of \$27.12 exceeds the assessments of the comparables in this record. After analysis of the appellant's data and considering the differences in size and features, the Board finds the appellant has met this burden and a reduction in the assessment is warranted.

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: March 16, 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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