



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

APPELLANT: Macneil
DOCKET NO.: 17-23227.001-R-1
PARCEL NO.: 14-19-314-042-0000

The parties of record before the Property Tax Appeal Board are Macneil, 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: \$13,800
IMPR.: \$34,398
TOTAL: \$48,198

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 mixed-use building of frame exterior construction with 3,276 square feet of building area. The building is approximately 137 years old. Features of the building include a partial unfinished basement and a 2-car garage. The property has a 3,000 square foot site located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-12 mixed-use 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 different neighborhood codes than the subject. The comparables are improved with similar class 2-12 multi-use buildings of frame exterior construction ranging in size from 2,724 to 3,938 square feet of building area. The buildings

range in age from 119 to 127 years old. Each comparable has a partial unfinished basement and a 1.5-car or a 2-car garage. One comparable has central air conditioning. The comparables have improvement assessments ranging from \$26,934 to \$35,591 or from \$9.04 to \$9.89 per square foot of building area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$30,860 or \$9.42 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$50,549. The subject property has an improvement assessment of \$36,749 or \$11.22 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, two-story and two, three-story mixed-use buildings of frame or masonry exterior construction ranging in size from 2,376 to 3,600 square feet of building area. The buildings range in age from 112 to 129 years old. Each comparable has a partial or a full unfinished basement. Two comparables each have central air conditioning. Two comparables have either a 1.5-car or a 2-car garage. The comparables have improvement assessments ranging from \$30,441 to \$40,060 or from \$10.90 to \$12.81 per square foot of building area. Based on this evidence, the board of review requested the subject's 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 gives less weight to the appellant's comparable #1 and the board of review's comparables #1 and #3 due to their dissimilar dwelling sizes and/or lack of a garage when compared to the subject.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables as they are similar in location, age, dwelling size and many features. The Board gives most weight to the board of review comparable #4 which is most similar to the subject in design, age and dwelling size. The best comparables have improvement assessments ranging from \$9.34 to \$10.93 per square foot of living area. The subject's improvement assessment of \$11.22 per square foot of living area falls above the range established by the best comparables in this record and is not supported. After examining the evidence presented by the parties and considering adjustments to the comparables for differences when compared to the subject, the Board finds 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: June 8, 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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