



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

APPELLANT: Glenn and Lois Hedman
DOCKET NO.: 17-23371.001-R-1
PARCEL NO.: 11-30-122-009-0000

The parties of record before the Property Tax Appeal Board are Glenn and Lois Hedman, the appellants; 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: \$4,368
IMPR.: \$35,181
TOTAL: \$39,549

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 93-year old, one and one-half story, single-family dwelling of masonry construction with 2,310 square feet of living area. Features of the home include: a full basement, two full baths, central air conditioning, one fireplace and a one-car garage. The property has a 6,240 square foot site and is located in Evanston Township, Cook County. The subject is classified as a class 2-78, residential property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend assessment inequity as the basis of the appeal. In support of this argument, the appellants submitted information on three equity comparables located within a two-block radius from the subject. They are improved with a one and one-half story, single-family dwelling of masonry exterior construction. The improvements ranged: in age from 91 to

93 years; in size from 2,046 to 2,167 square feet of living area; and in improvement assessment from \$15.36 to \$16.08 per square foot. Amenities include: a full basement, two full or two full and one-half baths, as well as garage area.

At the hearing, the appellant, Lois Hedman, testified at length regarding the subject's location and the effects of the surrounding business on the subject property. She also elaborated on the photographs that were submitted into evidence. She stated that after the appellants purchased the subject, that a McDonald's fast food restaurant opened a 24/7 drive through food lane. She asserted that the proximity to this business as well as its operations effect the subject property's market value and their life in their home.

In response, the board of review's representative explained that the appellants' comparables contain much smaller improvements, but that her properties were close in proximity to her property. He further explained how improvement size affects the assessments.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$39,549. The subject property has an improvement assessment of \$35,181 or \$15.23 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, all of which are located either on the subject's same block or within a two-block radius of the subject. They are improved with a one and one-half story, single-family dwelling of masonry construction. The improvements ranged: in age from 90 to 95 years; in size from 2,149 to 2,323 square feet of living area; and in improvement assessment from \$15.41 to \$17.79 per square foot. Amenities include: a full basement, two or three baths, and either a one-car or a two-car garage.

At hearing, the board's representative stated that the subject's assessment was lower than all of the appellants submitted comparables. He also indicated that the appellants' property #2 was also submitted by the board of review as its property #2.

In rebuttal, the appellant reasserted the subject's proximity to a fast food restaurant, McDonald's, affects the subject's market value especially the sounds, the odors and/or the crime associated with this business.

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 appellants *did not meet* this burden of proof and a reduction in the subject's assessment *is not* warranted.

The Board finds the best evidence of assessment equity to be *the appellants' comparable #2 as well as the board of review's comparables #1 through #3*. These comparables had improvement

assessments that ranged from \$15.41 to \$17.79 per square foot of living area. The subject's improvement assessment of \$15.23 per square foot of living area falls below the range established by the best comparables in this record. The Board accorded diminished weight to the remaining properties due to a disparity in location, improvement age, size and/or amenities.

Further, the Board finds that the appellants' assertion that the subject's market value is diminished due to its proximity to a fast food restaurant is unsupported by the evidence. In contrast, the subject's improvement assessment is lower than all of the parties' comparable assessments, which may account for the subject's location in close proximity to the fast food restaurant.

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: September 17, 2019



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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