



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

APPELLANT: Dana Davis
DOCKET NO.: 17-33091.001-R-1
PARCEL NO.: 24-09-134-003-0000

The parties of record before the Property Tax Appeal Board are Dana Davis, the appellant, by attorney Scott L. David, of Much Shelist, 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 **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: \$ 2,921
IMPR.: \$23,226
TOTAL: \$26,147

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 2,890 square feet of living area. The dwelling is approximately 89 years old. Features of the home include a full unfinished basement, a fireplace and a two-car garage. The property has a 6,150 square foot site and is located in Oak Lawn, Worth Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant originally filed an appeal marking the basis of appeal as recent appraisal along with a request for an extension of time to submit evidence. The appellant's subsequent submission of evidence lacked the necessary basis of appeal (35 ILCS 200/16-180; 86 Ill.Admin.Code §1910.30(j)) but provided a brief along with four comparable properties with equity data, one of which sold in 2018. In the absence of sufficient recent market value evidence to assert overvaluation of the subject property (86 Ill.Admin.Code §1910.65(c)(4)), the Board

will analyze this appeal based on the brief and evidence wherein the appellant implies assessment inequity as the basis of this appeal.

In support of the inequity argument the appellant submitted information on four comparables located in the same neighborhood code as the subject. The comparables consist of two-story class 2-06 dwellings of frame or frame and masonry exterior construction. The homes range in age from 70 to 126 years old and range in size from 2,340 to 3,417 square feet of living area. Three comparables have full or partial basements, one of which has a recreation room, and one comparable has a concrete slab foundation. Two dwellings have central air conditioning and a fireplace and three comparables have either a one-car or a two-car garage. The comparables have improvement assessments ranging from \$15,942 to \$22,933 or from \$6.39 to \$6.81 per square foot of living area. Based on this evidence, the appellant as set forth in the Residential Appeal petition requested a reduced improvement assessment of \$16,579 or \$5.74 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 \$26,147. The subject property has an improvement assessment of \$23,226 or \$8.04 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 located in the same neighborhood code as the subject property and either in the subject's subarea or within ¼ of a mile. The comparables consist of two-story class 2-06 dwellings of frame, masonry or frame and masonry exterior construction. The homes range in age from 64 to 92 years old and range in size from 2,432 to 2,520 square feet of living area. Three comparables have full unfinished basements and one comparable has a concrete slab foundation. Three comparables feature central air conditioning, two comparables each have a fireplace and each comparable has either a 2-car or a 3.5-car garage. The comparables have improvement assessments ranging from \$19,927 to \$21,961 or from \$8.08 to \$9.03 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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

The parties submitted a total of eight comparable properties to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #1 and board of review comparable #3 as these dwellings have concrete slab foundations as compared to the subject's full unfinished basement. The Board has given reduced weight to appellant's comparable #2 which is significantly older than the subject dwelling.

The Board finds the best evidence of assessment equity to be appellant's comparables #3 and #4 along with board of review comparables #1, #2 and #4. These comparables present varying degrees of similarity to the subject in age size and several features. The comparables have improvement assessments ranging from \$15,942 to \$21,961 or from \$6.71 to \$9.03 per square foot of living area. The subject's improvement assessment of \$23,226 or \$8.04 per square foot of living area falls above the range established by the best comparables in this record in terms of overall improvement assessment but within the range on a per-square-foot basis which is logical given the subject is larger than four of these best comparables. Furthermore, based on this record and after considering differences in the best comparables when compared to the subject for dwelling size, basement finish, air conditioning amenity and/or garage amenity, 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:

July 20, 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

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