



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

APPELLANT: Jason Banh
DOCKET NO.: 17-42777.001-R-1
PARCEL NO.: 10-34-105-046-0000

The parties of record before the Property Tax Appeal Board are Jason Banh, the appellant, by attorney Spiro Zarkos, of Verros Berkshire, PC 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: \$5,197
IMPR.: \$24,664
TOTAL: \$29,861

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 multi-level dwelling of masonry exterior construction with 1,493 square feet of living area. The dwelling is approximately 52 years old. Features of the home include a partial basement with finished area, central air conditioning and a one-car garage. The property has a 5,940 square foot site and is located in Lincolnwood, Niles Township, Cook County. The subject is classified as a class 2-34 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 four comparables that have the same neighborhood code as the subject. One comparable is located over 1 mile from the subject. The comparables are improved with class 2-34 dwellings of masonry exterior construction that range in size from 1,503 to 1,830 square feet of living area and range in age

from 57 to 62 years old. The comparables have partial basements with finished area, three comparables have central air conditioning, one comparable has a fireplace, and three comparables each have a one-car to a two-car garage. The comparables have improvement assessments ranging from \$16,240 to \$23,293 or from \$10.20 to \$15.50 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$19,409 or \$13.00 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 \$29,861. The subject has an improvement assessment of \$24,664 or \$16.52 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on eight equity comparables, six of which have the same neighborhood code as the subject. For ease of reference, the board of review's second set of comparables was renumbered as #5 through #8. The comparables are improved with multi-level, class 2-34 dwellings of masonry or frame and masonry exterior construction that range in size from 1,251 to 1,728 square feet of living area and range in age from 52 to 62 years old. The comparables have partial basements with finished area, seven comparables have central air conditioning, one comparable has a fireplace, and seven comparables each have a 1-car to a 2.5-car garage. The comparables have improvement assessments ranging from \$23,487 to \$32,011 or from \$16.60 to \$20.04 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 appellant 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. The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains 12 equity comparables for the Board's consideration. The Board gave less weight to appellant's comparables along with board of review comparables #4 through #8 due to differences in location, age, dwelling size, lack of central air conditioning and/or lack of a garage when compared to the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #1, #2 and #3 as they overall are most similar to the subject in location, age, dwelling size and features. These comparables have improvement assessments ranging from \$26,892 to \$29,915 or from \$16.60 to \$20.04 per square foot of living area. The subject has an improvement assessment of \$24,664 or \$16.52 per square foot of living area, which is below the range established by the best comparables in this record. Based on this evidence, the Board finds the appellant did not prove by clear and convincing evidence that the subject's improvement assessment is 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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