



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

APPELLANT: Diane Farwick
DOCKET NO.: 17-43133.001-R-1
PARCEL NO.: 14-32-222-014-0000

The parties of record before the Property Tax Appeal Board are Diane Farwick, the appellant, by attorney David C. Dunkin, of Saul Ewing Arnstein & Lehr LLP 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: \$27,900
IMPR.: \$64,040
TOTAL: \$91,940

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 two improvements. Improvement #1 consists of a 111-year-old, two-story dwelling of masonry construction with 2,694 square feet of living area. Improvement #2 consists of a 111-year-old, one-story dwelling of masonry construction with 612 square feet of living area. The property has a 3,100 square foot site and is located in North Chicago Township, Cook County. The subject is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity for improvement #2, only, as the basis of the appeal. In support of this argument the appellant submitted information on six suggested equity comparables. Those properties can be described as one-story dwellings of frame or masonry construction that range: in age from 118 to 140-year-old; in size from 688 to 967 square feet of living area; and in improvement assessment from \$30.89 to \$67.49 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 \$106,606. The board of review did not submit a breakdown of the assessment for each improvement. In support of its contention of the correct assessment the board of review submitted information on three suggested equity comparables for improvement #1, only. Improvement #1 has an assessed value of \$23,036 or \$8.55 per square foot of living area.

In written rebuttal, appellant's attorney argued the board of review did not provide any comparables for the second improvement. Appellant's attorney argued the second improvement has an assessment of \$50,670 or \$90.96 per square foot of living area and that is above the improvement assessment of similar size properties.

At hearing, appellant's attorney reiterated the argument that the assessment for improvement #2 is above similar size properties and should be reduced accordingly.

At hearing, the board of review argued that the Board should look to the total square footage instead of the assessed value for each improvement. The board of review argued not combining the square footage would result in an unfair result.

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 Board gives no weight to the board of review's argument that the square footage of the improvements should be combined when determining improvement assessment. The Board finds that if the county's argument was valid, then they would not allocate improvement assessment for each improvement. The fact that they do, defeats the county's argument in this matter.

The Board finds the best evidence of assessment equity for improvement #2 to be all of the appellant's comparables. These comparables had improvement assessments that ranged from \$30.89 to \$67.49 per square foot of living area. The subject's improvement assessment of \$90.96 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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: November 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Diane Farwick, by attorney:
David C. Dunkin
Saul Ewing Arnstein & Lehr LLP
161 North Clark
Suite 4200
Chicago, IL 60601

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602