



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

APPELLANT: Irene Rotter  
DOCKET NO.: 17-47092.001-R-1  
PARCEL NO.: 10-34-315-036-0000

The parties of record before the Property Tax Appeal Board are Irene Rotter, the appellant(s), by attorney Abby L. Strauss, of Schiller Law P.C. 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:** \$ 6,352  
**IMPR.:** \$ 69,072  
**TOTAL:** \$ 75,424

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) after receiving a favorable decision from the Property Tax Appeal Board (the "Board") in the prior year. The instant appeal challenges the assessment for tax year 2017. The Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

**Findings of Fact**

The subject consists of a two-story dwelling of masonry construction with 4,731 square feet of living area. The dwelling is 13 years old. Features of the home include a full basement with a formal recreation room, central air conditioning, a fireplace, and a two-car garage. The property's site is 7,260 square feet, and it is located in Niles Township, Cook County. The subject is classified as a class 2-08 property under the Cook County Real Property Assessment Classification Ordinance.

The subject property was the subject matter of an appeal before the Board in 2016 under docket number 16-41726. In that appeal, the Board rendered a decision lowering the subject's assessment to \$75,424. The appellant requests that the subject's assessment for tax year 2016 as determined by the Board be carried forward to the instant tax year of 2017 based on section 16-185 of the Property Tax Code. In Section II of the appeal form, the address for the appellant

and the address for the subject property are the same. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$75,424.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the total assessment for the subject is \$79,683.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables, and one sale comparable. The board of review also submitted a printout from the Cook County Property Tax Portal website showing that the subject did not receive any exemptions for tax year 2017. This printout also showed that the subject's address and the address where the tax bill is mailed are identical.

In rebuttal, the appellant reaffirmed the evidence previously submitted.

### **Conclusion of Law**

Section 16-185 of the Property Tax Code provides, in relevant part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's-length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. Additionally, "Standard of proof. Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence." 5 ILCS 100/10-15. The Board takes official notice that it rendered a decision lowering the subject's assessment for tax year 2016 (86 Ill.Admin.Code §1910.90(i)), and that tax year 2016 and the instant tax year of 2017 are in the same general assessment period for Niles Township. Cook County, Ill., Code of Ordinances §§ 74-31 and 74-32(2). The record contains no evidence indicating that the subject sold in an arm's-length transaction subsequent to the Board's 2016 decision, or that the Board's 2016 decision was reversed or modified upon review.

The Board further finds that the subject is owner-occupied based on Section II of the appeal form, and the printout from the Cook County Property Tax Portal, which both show that the address for the appellant and the address for the subject property are the same. The Board gives no weight to the board of review's argument that the subject is not owner-occupied due to the lack of exemptions that the subject received for tax year 2017, as it is not clear from the record as to the reason the subject did not receive any exemptions. Thus, based on the evidence in the record, the Board finds that the subject was owner-occupied for tax year 2017. For these reasons, the Board finds that the appellant has proven, by a preponderance of the evidence, that the subject's assessment should be carried forward, pursuant to section 16-185 of the Property

Docket No: 17-47092.001-R-1

Tax Code, to reflect the Board's 2016 decision, plus the application of an equalization factor, if any.

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:

October 18, 2022



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

Irene Rotter , by attorney:  
Abby L. Strauss  
Schiller Law P.C.  
33 North Dearborn  
Suite 1130  
Chicago, IL 60602

COUNTY

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