



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

APPELLANT: Thomas Garvey
DOCKET NO.: 18-20414.001-R-1
PARCEL NO.: 16-06-223-023-0000

The parties of record before the Property Tax Appeal Board are Thomas Garvey, the appellant, by attorney Amy C. Floyd 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: \$8,520
IMPR.: \$51,377
TOTAL: \$59,897

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 2018 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 frame and masonry construction with 3,052 square feet of living area. The dwelling is approximately 86 years old. Features of the property include a partial basement with a recreation room, central air conditioning, one fireplace and a one-car garage. The property has a 7,100 square foot site and is located in Oak Park, Oak Park Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the improvements as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables improved with two-story dwellings of masonry or stucco exterior construction that range in size from 2,401 to 3,172 square feet of living area. The homes range in age from 80 to 96 years old. Each property has a full or partial basement with two having recreation rooms, three comparables have central air conditioning and each property has one or two fireplaces.

These properties have improvement assessments ranging from \$35,778 to \$48,464 or from \$13.57 to \$15.28 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$45,322 or \$14.85 per square foot of living.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$59,897. The subject property has an improvement assessment of \$51,377 or \$16.83 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 improved with two-story dwellings of frame and masonry construction ranging in size from 2,655 to 2,977 square feet of living area. The homes ranging in age from 82 to 89 years old. Each dwelling has a full or partial basement with two having recreation rooms, three comparables have central air conditioning, three comparables have one fireplace, and each property has a 1.5-car or a 2-car garage. Their improvement assessments range from \$45,745 to \$56,208 or from \$17.00 to \$18.88 per square foot of living area.

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 Board finds the best evidence of assessment equity to be comparables #1, #2, and #4 submitted by the board of review. These board of review comparables are most similar to the subject property in exterior construction, size, and features. These comparables have improvement assessments that range from \$49,215 to \$56,208 or from \$17.00 to \$18.88 per square foot of living area. The subject's improvement assessment of 51,377 or \$16.83 per square foot of living area falls within the overall improvement assessment range but below the range established by the best comparables in this record on a square foot basis. The Board gives less weight to the appellant's comparables due to differences from the subject dwelling in size and/or features as none of the comparables are described as having a garage as does the subject property. The Board gives less weight to board of a review comparable #3 due to differences from the subject dwelling in size. 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 21, 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

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