



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

APPELLANT: Jerold Stirling  
DOCKET NO.: 18-20572.001-R-1  
PARCEL NO.: 16-06-305-001-0000

The parties of record before the Property Tax Appeal Board are Jerold Stirling, the appellant, by attorney Ciarra Schmidt, of Schmidt Salzman & Moran, Ltd. 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:

<b>LAND:</b>	\$8,469
<b>IMPR.:</b>	\$40,103
<b>TOTAL:</b>	\$48,572

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 exterior construction with 2,176 square feet of living area. The dwelling is approximately 101 years old. Features of the home include a full unfinished basement, central air conditioning, one fireplace and a 1.5-car garage. The property has an 8,263 square foot site and is located in Oak Park, Oak Park Township, Cook County. The subject is classified as a class 2-05 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 five comparables located within the same assessment neighborhood code as the subject. The comparables are improved with two-story, class 2-05 dwellings of stucco or frame exterior construction that range in size from 2,118 to 2,200 square feet of living area and range in age from 97 to 114 years old.

The comparables have partial or full unfinished basements, three comparables have central air conditioning, three comparables each have a fireplace and each comparable has a 2-car garage. The comparables have improvement assessments ranging from \$35,185 to \$40,354 or from \$15.99 to \$18.46 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$40,103 or \$18.43 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 \$53,512. The subject has an improvement assessment of \$45,034 or \$20.70 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables, one of which is located within the same assessment neighborhood code as the subject. The comparables are improved with two-story, class 2-05 dwellings of stucco, frame, or frame and masonry exterior construction that range in size from 1,832 to 2,062 square feet of living area and range in age from 68 to 124 years old. The comparables have partial or full basements, with one having a formal recreation room. One comparable has central air conditioning. Each comparable has a fireplace. Two comparables have 2-car garages. The comparables have improvement assessments ranging from \$45,911 to \$70,260 or from \$24.75 to \$34.07 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 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 record contains eight equity comparables for the Board's consideration. The Board gave less weight to the board of review comparables as comparable #1 lacks a garage, a feature of the subject, and comparables #2 and #3 are located outside of the subject's assessment neighborhood code and/or are considerably younger in age.

The Board finds the best evidence of assessment equity to be the appellant's comparables which overall are most similar to the subject in location, dwelling size, age and features. These comparables have improvement assessments ranging from \$35,185 to \$40,354 or from \$15.99 to \$18.46 per square foot of living area. The subject's improvement assessment of \$45,043 or \$20.70 per square foot of living area is above the range established by the best comparables in this record. Therefore, after considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant proved by clear and convincing evidence that the subject's improvement is 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:

October 19, 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

Jerold Stirling, by attorney:  
Ciarra Schmidt  
Schmidt Salzman & Moran, Ltd.  
111 West Washington Street  
Suite 1300  
Chicago, IL 60602

COUNTY

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