



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

APPELLANT: Gerald Quimque
DOCKET NO.: 18-24782.001-R-1
PARCEL NO.: 22-31-200-026-0000

The parties of record before the Property Tax Appeal Board are Gerald Quimque, the appellant(s), by attorney Noah J. 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:

LAND: \$3,253
IMPR.: \$33,331
TOTAL: \$36,584

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 one-year-old, one-and-a-half story residence of frame and masonry construction with 1,791 square feet of living area. Features of the building include two full bathrooms, one half-bathroom, and a two-car garage. The property has a 5,658 square foot site located in Chicago, Lemont Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant indicated the subject property was purchased on February 16, 2017, for a price of \$346,861, or \$193.67 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment not to exceed \$34,686. The appellant also contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on five suggested equity comparables. They were improved with

either a one-story or a one-and-a-half story residence of either masonry, frame, or masonry and frame construction. Based on this evidence, the appellant requests a reduction in the subject's total assessment, including land, to \$33,019. The appellant also submitted the board of review's decision letter disclosing the total assessment for the subject of \$37,175.

The board of review disclosed the subject's current total assessment of \$37,175, which reflects a market value of \$371,750, or \$207.57 per square foot of living area, including land, when using the 2018 level of assessment for Cook County of 10%. The subject's improvement assessment is \$33,922, or \$18.94 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four comparable properties and included recent sale information for all of them. Each comparable property was improved with either a one-story or a two-story residence of either masonry or masonry and frame construction. The board also included the subject property in its grid analysis reflecting the property was sold on February 21, 2017, for \$346,862.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant *did not meet* this burden of proof and a reduction in the subject's assessment on the basis of market value *is not warranted*.

Both parties indicate the subject sold in February 2017 for a price of \$346,862. The appellant references a settlement statement but did not include said settlement statement in evidence. As a result, the Board finds the appellant submitted insufficient evidence of the sale.

The taxpayer also 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 meet* this burden of proof and a reduction in the subject's assessment *is warranted*.

The Board finds the best evidence of assessment equity to be appellant's comparables #3, #4, and #5 and the board of review's comparable #3. These comparables had improvement assessments that ranged from \$14.83 to \$18.61 per square foot of living area. The subject's improvement assessment of \$18.94 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

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: January 17, 2023



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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