



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

APPELLANT: Nancy Schimmel
DOCKET NO.: 18-28679.001-R-1
PARCEL NO.: 14-30-221-010-0000

The parties of record before the Property Tax Appeal Board are Nancy Schimmel, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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: \$17,500
IMPR.: \$45,500
TOTAL: \$63,000

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 1.5-story dwelling of frame exterior construction with 1,298 square feet of living area. The dwelling is 125 years old, has a full unfinished basement, central air conditioning, and a two-car garage. The property has a 3,125 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends both overvaluation and assessment inequity with respect to the improvement as the bases of the appeal. In support of the overvaluation argument the appellant submitted evidence disclosing the subject property was purchased on February 28, 2017 for a price of \$630,000. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the seller was Jamie and Ashley Conner, the sale's transaction was not between family members or related corporations, the property was sold through a realtor by @Properties, and the

property was advertised for sale using a multiple listing service for 50 days. Also submitted was a copy of the Master Statement reiterating the sale date and price, the sellers, and also depicting the borrower as Nancy L. Schimmel, as Trustee of the Nancy L. Schimmel Revocable Trust and paid commissions to two real estate entities.

In support of the assessment inequity argument, the appellant submitted information on four equity comparables that are located within the same neighborhood code as the subject property. The comparables are improved with class 2-03 dwellings of frame exterior construction ranging in size from 1,325 to 1,775 square feet of living area. The dwellings range in age from 120 to 130 years old and have other features with varying degrees of similarity to the subject property. The comparables have improvement assessments ranging from \$36,049 to \$54,668 or from \$27.21 to \$30.80 per square foot of living area.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$55,583. Since the appellant did not request a reduction in the subject's land assessment, this results in a reduction of the subject's improvement assessment to \$38,083 or \$29.34 per square foot of living area. The requested total assessment reflects a total market value of \$555,830 or \$428.22 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,500. The subject's assessment reflects a market value of \$655,000 or \$485.36 per square foot of living area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject has an improvement assessment of \$48,000 or \$36.98 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted two grid analyses with a total of eight comparables. For this analysis, the grid analysis with 4 equity and sales comparables from left to right will be referred to as comparables #1 through #4 and the grid analysis with only 4 equity comparables from left to right will be referred to as comparables #5 through #8. The eight comparables are located within the same neighborhood code as the subject property and are improved with class 2-03, 1-story and 1.5-story dwellings of frame exterior construction ranging in size from 1,037 to 1,432 square feet of living area. The dwellings range in age from 19 to 132 years old and have other features with varying degrees of similarity to the subject property. Comparables #1 through #4 sold from May 2015 to December 2017 for prices ranging from \$730,000 to \$850,000 or from \$550.07 to \$756.99 per square foot of living area, including land. The comparables #1 through #8 have improvement assessments ranging from \$45,662 to \$55,968 or from \$37.75 to \$45.37 per square foot of living area. In addition, the board of review also disclosed the subject sold in 2017 for \$630,000. Based on this evidence the board of review requested that the subject's assessment be confirmed.

Conclusion of Law

The appellant contends in part that 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property on February 28, 2017 for a price of \$630,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold through a realtor, and the property was advertised for sale on the open market with a multiple listing service for 50 days. In further support of the transaction, the appellant submitted a copy of the Master Statement also disclosing the sale information for the subject property and paid commissions to two real estate entities. The Board also finds the board of review noted the sale of the subject in their grid analysis but did not present any evidence to challenge the arm's-length nature of the transaction, and the suggested comparable sales presented by the board of review does not overcome the arm's-length sale of the subject. Furthermore, the subject's sale date in February 2017 is closer to the January 1, 2017 assessment date at issue than the board of review comparables. Finally, the Board finds the purchase price falls below the market value reflected by the subject's assessment. Since market value has been determined the level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. 86 Ill.Admin.Code §1910.50(c)(2).

The appellant also argued assessment inequity as an alternative 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 record contains 12 assessment equity comparables submitted by the parties for the Board's consideration. After reviewing the record and considering the assessment reduction granted to the subject property based on market value consideration, the Board finds the subject property is equitably assessed. Therefore, no further reduction in the subject's assessment is warranted based on the principles of uniformity.

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

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