



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

APPELLANT: Charlie Gerstung
DOCKET NO.: 18-35126.001-R-1 through 18-35126.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Charlie Gerstung, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
18-35126.001-R-1	03-19-310-002-0000	4,785	61,965	\$66,750
18-35126.002-R-1	03-19-310-008-0000	7,458	14,792	\$22,250

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 two parcels improved with a two-story dwelling of frame exterior construction with 5,090 square feet of living area. The dwelling is approximately 60 years old. Features of the home include a partial basement with finished area, central air conditioning, one fireplace and a three-car garage. The property has a combined 16,888 square foot site and is located in Arlington Heights, Wheeling Township, Cook County. The subject is classified as a class 2-09 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 four equity comparables located in the same neighborhood code as the subject property. The comparables are improved with class 2-09 dwellings of masonry or frame or masonry exterior construction

ranging in size from 4,800 to 5,482 square feet of living area and in age from 4 to 19 years old. The comparables each have a full basement, two of which have finished area. Each comparable has central air conditioning, one or two fireplaces and a three-car or a four-car garage. The comparables have improvement assessments ranging from \$60,578 to \$85,952 or from \$12.04 to \$16.86 per square foot of living area. Based on this evidence, the appellant requested that the subject's total improvement assessment be reduced to \$76,757 or \$15.08 per square foot of living area.

The appellant submitted a copy of the final decision of the Cook County Board of Review dated April 1, 2019 for the 2018 assessment year concerning the two parcels which depicts assessments of \$79,328 for Parcel #1 (PIN 03-19-310-002-0000) and \$26,093 for Parcel #2 (PIN 03-19-310-008-0000). The subject's two parcels have a combined total assessment of \$105,421 and a total improvement assessment of \$93,178 or \$18.31 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" providing assessment information on only one parcel under appeal. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables, two of which are located in the same neighborhood code as the subject property. The comparables are improved with two-story class 2-09 or class 2-78 dwellings of frame or masonry exterior construction ranging in size from 3,508 to 5,090 square feet of living area and in age from 1 to 60 years old. The comparables each have a full or partial basement, two of which have finished area. Each comparable has central air conditioning and a two-car or a three-car garage. Three comparables each have one fireplace. The comparables have improvement assessments ranging from \$18,635 to \$68,931 or from \$3.66 to \$19.00 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted eight suggested comparables for the Board's consideration. The Board finds the board of review comparable #1 the only comparable truly similar to the subject in age and dwelling size. However, despite being identical in age, dwelling size and amenities to the subject, it appears to be an outlier with a significantly lower improvement assessment than the other comparables in this record. The Board gives less weight to the three remaining board of review comparables due to their smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables which are similar to the subject in location, dwelling size and some features but are each considerably newer in age than the subject. These comparables have improvement assessments ranging from

\$60,578 to \$85,952 or from \$12.04 to \$16.86 per square foot of living area. The subject's total improvement assessment of \$93,178 or \$18.31 falls above the range established by the best comparables in this record and is excessive. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment commensurate with the appellant's request 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:

April 19, 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

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