



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

APPELLANT: Kristofer Braaten  
DOCKET NO.: 18-42968.001-R-1 through 18-42968.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Kristofer Braaten, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
18-42968.001-R-1	14-31-300-013-0000	10,920	70,778	\$81,698
18-42968.002-R-1	14-31-300-014-0000	10,920	70,778	\$81,698

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 of land. One parcel is improved with a 19-year-old, two-story dwelling of masonry construction. Features of the home include a full basement, central air conditioning, two fireplaces, and a three-car garage. The property has a 4,800 square foot site located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,600,000 as of January 5, 2017. The appraisal states that the subject has two stories and an improvement size of 4,593 square feet of living area. The appraisal includes drawings and measurements of the improvement and states that the appraiser inspected the subject. Additionally, the photograph of the subject in the appraisal depicts a two-story dwelling.

The appellant also contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on nine suggested equity comparables. They were improved with either a two-story or a three-story dwelling of masonry construction.

The appellant also alleges that the Cook County Assessor's records regarding the subject's classification, improvement, and number of stories, are incorrect. The Assessor's records state that the subject is a class 2-09 property with 5,037 square feet of living area and three stories, while the appellant claims the subject is a class-208 property with 4,593 square feet of living area and two stories. In support of this argument, the appellant relies on the information contained in the appraisal. Based on this evidence, the appellant requests a total assessment for the subject property of \$163,396.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$180,000. The subject's assessment reflects a market value of \$1,800,000 when applying the statutory level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The board of review also disclosed that the subject has an improvement assessment of \$158,160. In its grid analysis, the board of review indicates the subject property is a three-story, class 2-09 property with 5,037 square feet of living area and an assessment of \$15.70 per square foot of living area. The board of review did not submit any evidence in support of the subject's number of stories, classification, or improvement size. In support of its contention of the correct assessment, the board of review submitted information on four suggested equity comparables and two sales comparables. Each were improved with a three-story, multi-family dwelling of masonry construction.

### **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 *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 *appraisal submitted by the appellant*. The Board finds that determining the subject's number of stories, improvement size, and classification are not relevant to determining the subject's correct assessment. The subject's assessment reflects a market value of \$1,800,000 which is above the appraised value. The Board finds the subject property had a market value of \$1,600,000 as of the assessment date at issue. Since market value has been established, the level of assessment 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)). Since market value has been determined, the Board finds that the subject is now fairly and equitably assessed.

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.



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Chairman



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Member



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Member



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Member

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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: February 21, 2023



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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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