



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

APPELLANT: Pranav Parekh  
DOCKET NO.: 18-49484.001-R-1  
PARCEL NO.: 07-23-105-007-0000

The parties of record before the Property Tax Appeal Board are Pranav Parekh, the appellant, 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:** \$15,352  
**IMPR.:** \$56,198  
**TOTAL:** \$71,550

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 masonry exterior construction with 5,375 square feet of living area. The home is approximately 13 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 3-car garage. The property has a 13,957 square foot site and is located in Schaumburg, Schaumburg Township, Cook County. The subject is classified as a class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant, through counsel, marked contention of law, recent sale and assessment inequity as the bases of the appeal. In support of the contention of law and overvaluation arguments, the appellant filed a direct appeal pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) following a final decision by the Property Tax Appeal Board for the 2016 tax year under Docket No. 16-38291.001-R-1 that lowered the subject's assessment to \$71,550 based

upon the weight of the evidence to reflect the subject's purchase price. In support of this appeal, the appellant submitted a copy of the 2016 PTAB final decision and partially completed Section IV – Recent Sale Data of the residential appeal petition disclosing the subject property sold on December 13, 2013 for \$715,500 by the seller "Deautsche Bank (sic)," the transfer was not between family members or related corporations, the property sold by a realtor with American Realty, the property was advertised for sale through a Multiple Listing Service (MLS) for an undisclosed period of time, and the sale was not due to foreclosure action or a contract for deed. The appellant did not answer the question in line 1b of the residential appeal petition if the subject is an owner-occupied residence.

In support of the assessment inequity argument, the appellant submitted information on five equity comparables that are located within different neighborhood codes than the subject. The comparables are improved with two-story, class 2-09 dwellings of masonry or frame and masonry exterior construction ranging in size from 5,036 to 6,900 square feet of living area. The dwellings are from 11 to 21 years old. Each comparable has a basement, three of which have finished area, central air conditioning, one to three fireplaces, and a 3-car or a 4-car garage. The comparables have improvement assessments ranging from \$23,446 to \$71,435 or from \$4.48 to \$10.35 per square foot of living area.

In a legal brief, the appellant's attorney contends 2016 through 2018 is the triennial assessment cycle for the subject property and that since the time of the 2016 assessment reduction there have been no capital improvements made to the property which would materially increase the market value. Based on this evidence, the appellant's attorney requested the subject's assessment be revised so as not to exceed the 2016 assessment of \$71,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$84,326.<sup>1</sup> The subject's assessment reflects a market value of \$843,260 or \$156.89 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 also reported the subject has an improvement assessment of \$66,182 or \$12.31 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 that are located within different neighborhood codes than the subject. The comparables are improved with class 2-09, two-story dwellings of masonry exterior construction ranging in size from 5,016 to 6,373 square feet of living area. The dwellings are either 20 or 22 years old. Each comparable has a basement, two of which have finished area, central air conditioning, one or two fireplaces, and either a 2.5-car, a 3-car or a 4-car garage. The comparables have improvement assessments ranging from \$70,291 to \$90,509 or from \$14.01 to \$14.39 per square foot of living area. Based on this evidence the board of review requested confirmation of the subject's assessment.

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<sup>1</sup> The parties differ regarding the assessment information for the subject property and neither party provided a copy of the Cook County board of review's 2018 final decision for the subject property. The Board finds the best assessment information for this appeal was provided by the board of review as it appears the appellant utilized the subject's same total assessment of \$101,284 in the appeal petition as provided in the 2016 PTAB's final decision.

### Conclusion of Law

As an initial matter regarding the appellant attorney's request to have the Board's 2016 final decision carried forward to the tax year 2018, the Board finds the subject property is not subject to the provision as provided by Section 16-185 of the Property Tax Code (35 ILCS 200/16-185). Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in pertinent part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence **occupied by the owner** is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. . . . [Emphasis added.]

Although the appellant disclosed the subject property was the subject matter of an appeal before the PTAB for the 2016 tax year under Docket No. 16-38291.001-R-1 in which a decision was issued to reflect the subject's purchase price in December 2013 of \$715,500, the Board further finds the appellant's attorney failed to disclose whether the subject was owner-occupied or not, which is one of the requirements under section 16-185 of the Property Tax Code. Additionally, the appellant's address on the appeal petition is that of the law firm and not the same address as the address of the subject property. For this reason, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not warranted pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185).

The appellant also contends, in part, the market value of the subject property is not accurately reflected in its assessed valuation with respect to its purchase price. 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 is not warranted.

The Board finds the subject's sale is not a recent sale as it sold in December 2013 for \$715,500 more than 4 years prior to the January 1, 2018 assessment date, and is less likely to reflect the market value of the subject property as of the assessment date at issue. Therefore, the Board finds a reduction in the subject's assessment is not warranted based on overvaluation.

The appellant also contends 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 Board finds the

appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this basis.

The record contains seven equity comparables for the Board's consideration, none of which are located within the same neighborhood code as the subject. The Board gives less weight to the appellant's comparables #1, #3, #4, and #5 as well as the board of review comparables #1 and #3 which differ from the subject in dwelling size and/or basement finish.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables. These comparables are more similar in overall property characteristics to the subject property. These two comparables have improvement assessments of \$47,240 and \$70,291 or \$8.83 and \$14.01 per square foot of living area. The subject's improvement assessment of \$66,182 or \$12.31 per square foot of living area is bracketed by the two most similar comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment based on assessment uniformity is not 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 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

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