



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

APPELLANT: Richard Busscher
DOCKET NO.: 19-22769.001-R-1
PARCEL NO.: 05-18-216-010-0000

The parties of record before the Property Tax Appeal Board are Richard Busscher, 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: \$14,310
IMPR.: \$56,638
TOTAL: \$70,948

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 2019 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 frame and masonry exterior construction with 2,970 square feet of living area.¹ The dwelling is approximately 50 years old. Features of the home include a partial unfinished basement, central air conditioning, two fireplaces, and a 2-car garage. The property has a 7,950 square foot site and is located in Winnetka, New Trier Township, Cook County. The subject dwelling is classified as a Class 2-78 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 that are located within the same neighborhood code as the subject property. The

¹ The subject's property information was provided by the appellant only. The board of review submitted evidence on a different parcel other than the subject property under appeal.

comparables are improved with Class 2-78 dwellings of frame or frame and masonry exterior construction ranging in size from 2,380 to 2,792 square feet of living area. The dwellings range in age from 40 to 57 years old. Each comparable has a partial unfinished basement, central air conditioning, one fireplace, and a 2-car garage. The comparables have improvement assessments ranging from \$46,559 to \$52,521 or from \$18.37 to \$19.56 per square foot of living area.

The appellant submitted a copy of the 2019 final decision issued by the Cook County Board of Review disclosing a total assessment for the subject of \$77,363. The subject property has an improvement assessment of \$63,053 or \$23.23 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$56,638 or \$19.07 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" for a different docket number and parcel than the subject property under appeal. However, the board of review submitted information on four equity comparables for similar Class 2-78 properties that are located within the same neighborhood code as the subject. The comparables are improved with Class 2-78 dwellings of frame, masonry, or stucco exterior construction ranging in size from 2,600 to 2,889 square feet of living area. The dwellings range in age from 12 to 25 years old. Each comparable has a full basement with one having finished area and central air conditioning. Three comparables each have one or two fireplaces, and two comparables each have a 2-car garage. The comparables have improvement assessments ranging from \$70,685 to \$93,741 or from \$27.19 to \$32.75 per square foot of living area. Based on this evidence, the board of review requested that 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 gives less weight to the board of review comparables due to the significantly newer ages of the dwellings when compared to the age of the subject dwelling.

The Board finds the best evidence of assessment equity to be the appellant's comparables. These comparables are relatively similar to the subject in location, design, age, and features, though each dwelling is smaller in dwelling size when compared to the subject. These four comparables have improvement assessments ranging from \$46,559 to \$52,521 or from \$18.37 to \$19.56 per square foot of living area. The subject's improvement assessment of \$63,053 or \$23.23 per square foot of living area falls above the range established by the best comparables in this record. After considering the economies of scale and adjustments to the comparables for differences

when compared to the subject, the Board finds 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:

February 16, 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

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Richard Busscher, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602