



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

APPELLANT: John & Anne Smolak  
DOCKET NO.: 19-27169.001-R-1  
PARCEL NO.: 08-24-413-035-0000

The parties of record before the Property Tax Appeal Board are John & Anne Smolak, the appellant(s), by attorney Michael T. Reynolds, of Rieff Schramm Kanter & Guttman 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 **No Change** 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:** \$4,788  
**IMPR.:** \$23,446  
**TOTAL:** \$28,234

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

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 55-year-old, split-level, single-family dwelling of masonry construction with 1,459 square feet of living area. The property has a 7,980 square foot site located in Des Plaines, Elk Grove Township, Cook County. The subject is classified as a class 2-34 property under the Cook County Real Property Assessment Classification Ordinance.

Appellant contends assessment inequity as the basis of the appeal. In support of this argument, appellant submitted information on eight suggested equity comparables. Each of the comparable properties were improved with a split-level residence of frame or frame and masonry construction. The comparable properties ranged in living area square footage between 1,185 and 1,926 and in assessment between \$11.58 and \$13.73 per square foot of living area. They were located in the same neighborhood as the subject property. Appellant also included a copy of the board of review's December 17, 2019, decision reflecting its total final assessment for the

subject property of \$28,234. Based on this evidence, appellant requested a reduction in the subject's assessment to \$23,376.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,234. The subject property has an improvement assessment of \$23,446, or \$16.07 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four suggested equity comparables. Each were improved with a split-level residence of masonry construction. They ranged in living area square footage between 1,225 and 1,454 and in assessment between \$16.07 and \$17.64 per square foot of living area. Three of the comparables were located within a quarter of a mile from the subject property and one comparable was located in the subarea of the subject property.

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

The Board finds the best evidence of assessment equity to be *appellant's comparables #1, #2, and #3, and board of review comparables #1, #2, and #3*. These comparables were most similar to the subject property in living area square footage, construction, and/or and closest to it in proximity. They had improvement assessments that ranged from \$11.58 to \$17.63 per square foot of living area. The subject's improvement assessment of \$16.07 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds 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 *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:

April 18, 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

AGENCY

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