



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

APPELLANT: Edwin & Carrie Del Hierro
DOCKET NO.: 19-31993.001-R-1
PARCEL NO.: 14-32-112-017-0000

The parties of record before the Property Tax Appeal Board are Edwin & Carrie Del Hierro, the appellant(s), by attorney Steven Kandelman, 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 **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: \$32,736
IMPR.: \$152,264
TOTAL: \$185,000

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 16-year-old, three-story, dwelling of masonry construction with 3,930 square feet of living area. The property has a 2,976 square foot site and is located in Chicago, North 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, appellant submitted an appraisal estimating the subject property had a market value of \$1,850,000 as of January 1, 2019. The appraiser utilized the sales comparison approach based on three comparable properties that sold in the year 2018 and determined the market value for the subject property after adjustments. Based on this evidence, the appellant requests a total assessment for the subject property of \$185,000.

The appellant also contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on four suggested equity comparables. They were each improved with a dwelling of masonry construction that ranged in living area square feet from 3,906 to 4,852 and in assessment from \$32.20 to \$38.28 per square foot of living area. Based on this evidence, the appellant requests a total assessment for the subject property of \$166,356.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$191,425. The subject's assessment reflects a market value of \$1,914,250 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 \$158,689. In its grid analysis, the board of review indicates the subject property is a three-story property with 3,930 square feet of living area and has an assessment of \$40.38 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four suggested comparables. Each were improved with a three-story dwelling of masonry construction. They ranged in living area square footage from 3,854 to 4,558 and in assessment from \$47.92 to \$49.06 per square foot of living. The comparables sold between October 2016 and July 2019 for prices ranging from \$2,325,000 to \$2,850,000, or from \$603.27 to 693.90 per square foot of living area, including land.

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 appraiser utilized the sales comparison approach based on three comparable properties and determined the market value for the subject property after adjustments. The subject's assessment of \$191,425 reflects a market value above the best evidence of market value in the record. The Board finds the subject property had a market value of \$1,850,000 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.



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:

December 19, 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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