



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

APPELLANT: Brent Hamachek
DOCKET NO.: 19-33422.001-R-1
PARCEL NO.: 04-07-306-011-0000

The parties of record before the Property Tax Appeal Board are Brent Hamachek, the appellant; 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: \$16,309
IMPR.: \$48,052
TOTAL: \$64,361

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 construction with 3,380 square feet of living area. The dwelling is 40 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has a 13,591 square foot site and is located in Northbrook, Northfield Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with regard to the subject's improvement as the basis of the appeal. In support of this argument the appellant submitted information on six equity comparables that were located "within walking distance" from the subject and within the same neighborhood code as the subject property. The comparables were two-story dwellings of masonry or frame and masonry construction that ranged in size from 3,059 to 3,436 square feet of living area. The homes ranged in age from 34 to 40 years old and featured full basements,

two of which were finished, central air conditioning, a fireplace and a two-car or a three-car garage. The comparables had improvement assessments ranging from \$39,192 to \$45,453 or from \$12.43 to \$13.67 per square foot of living area.

The appellant's submission included a letter disclosing the subject is located in close proximity to the I-294 highway and for that reason the subject's market value should be reduced by \$50,000. The appellant included a map revealing the proximate location of the subject and the appellant's comparables in relation to the I-294 highway. The appellant also included a recent sale of a property that sold in July 2019 for \$558,000.

Based on this evidence the appellant requested that the subject's assessment be reduced to \$55,393.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,361. The subject property has an improvement assessment of \$48,052 or \$14.22 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables that were located on the same block and within the same neighborhood code as the subject property. The comparables were two-story dwellings of frame and masonry construction that ranged in size from 3,300 to 3,694 square feet of living area. The homes were 40 years old and featured full or partial basements, one of which had finished area, central air conditioning, a fireplace and a two-car garage. The comparables had improvement assessments ranging from \$47,937 to \$52,605 or from \$14.24 to \$15.10 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter regarding the appellant's contention that the subject's market value should be reduced by \$50,000 due to its location in close proximity to the I-294 highway, the Board finds the appellant failed to show that properties located in close proximity to the I-294 highway are inequitably assessed by clear and convincing evidence. Furthermore, the appellant's map revealing the proximate location of the subject and the appellant's comparables in relation to the I-294 highway depicts only comparables #5 and #6 as being located in close proximity to the I-294 highway, like the subject.

As to the appellant's evidence of a property that sold in July 2019 for \$558,000, the Board finds it should be given little weight due to the appellant's appeal being based on assessment equity

and not overvaluation. In addition, the Board requires a minimum of three comparable sales to show that a property is being overvalued, in relation to similar properties.

Section 1910.65 of the rules of the Property Tax Appeal Board states in relevant part:

- c) Proof of the market value of the subject property may consist of the following:
 - 1) an appraisal of the subject property as of the assessment date at issue;
 - 2) a recent sale of the subject property;
 - 3) documentation evidencing the cost of construction of the subject property including the cost of the land and the value of any labor provided by the owner if the date of construction is proximate to the assessment date; or
 - 4) documentation of **not fewer than three recent sales** of suggested comparable properties together with documentation of the similarity, proximity and lack of distinguishing characteristics of the sales comparables to the subject property.

(86 Ill. Admin. Code, §1910.65) (Emphasis added)

The parties submitted a total of ten comparable properties for the Board's consideration. The Board gave less weight to the board of review's comparable #3 due to its larger size, when compared to the subject. The Board finds the parties' remaining comparables were most similar to the subject in location, style, age, size and most features. These comparables had improvement assessments that ranged from \$39,192 to \$50,020 or from \$12.43 to \$15.10 per square foot of living area. The subject's improvement assessment of \$48,052 or \$14.22 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 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 is not justified.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that the properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence.

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

Brent Hamachek
4239 Terri Lyn Lane
Northbrook, IL 60062

COUNTY

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