



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

APPELLANT: David Zemil  
DOCKET NO.: 19-38692.001-R-1  
PARCEL NO.: 13-12-401-036-0000

The parties of record before the Property Tax Appeal Board are David Zemil, the appellant, by attorney Ciarra 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 **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:** \$10,231  
**IMPR.:** \$31,817  
**TOTAL:** \$42,048

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 1-story dwelling of frame exterior construction with 1,012 square feet of living area. The dwelling is approximately 106 years old. Features of the property include an unfinished basement and a two-car garage. The property has a 4,263 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-03 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 five equity comparables with the same neighborhood code as the subject property. The comparables are improved with 1-story or 1.5-story, class 2-03 dwellings of frame, masonry, or frame and masonry exterior construction that range in size from 1,116 to 1,181 square feet of living area. The homes range in age from 99 to 130 years old. Four comparables each have an unfinished

basement. Three comparables each have a two-car garage. Comparables #1 and #2 have finished attics. The comparables have improvement assessments that range from \$26,177 to \$31,060 or from \$23.00 to \$26.30 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$24,834 or \$24.54 per square foot of living area.

The appellant also submitted two memoranda: "Impact of Covid-19 Residential Real Estate Market" and "Request for Relief" which argue that the Covid-19 pandemic has generally affected real estate market values in March and April of 2020. The appellant then argues that the assessment of the subject property is overvalued due to the Covid-19 pandemic.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$42,048. The subject property has an improvement assessment of \$31,817 or \$31.44 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 with the same neighborhood code as the subject. The comparables are improved with 1-story class, 2-03 dwellings of frame or masonry exterior construction that range in size from 1,012 to 1,200 square feet of living area. The homes range in age from 96 to 115 years old. Each comparable has a basement with one having finished area and a one-car or a two-car garage. The comparables have improvement assessments that range from \$32,360 to \$39,214 or from \$31.48 to \$37.73 per square foot of living area. Based on this evidence, the board of review requested 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.

The parties submitted nine suggested comparables to the Board for consideration. The Board gives less weight to the appellant's comparables and board of review comparable #3 due to their dissimilar 1.5-story designs, lack of basement, basement finish, and/or lack of a garage when compared to the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #1, #2 and #4 which are more similar to the subject in design, age, dwelling size and features. These comparables have improvement assessments ranging from \$32,360 to \$38,184 or from \$31.48 to \$37.73 per square foot of living area. The subject's improvement assessment of \$31,817 or \$31.44 per square foot of living area falls below 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 improvement assessment based on inequity is not warranted.

Additionally, although argued with generalities, the appellant failed to provide sufficient evidence or argument to show the Covid-19 pandemic affected the market value of the subject property as of January 1, 2019.

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.



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Chairman



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Member



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Member



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Member

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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:

May 16, 2023



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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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