



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

APPELLANT: Robert Stoltz
DOCKET NO.: 19-46622.001-R-1
PARCEL NO.: 02-16-411-013-0000

The parties of record before the Property Tax Appeal Board are Robert Stoltz, the appellant(s), by attorney Stephanie Park, of Park & Longstreet, P.C. in Inverness; 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: \$4,358
IMPR.: \$38,070
TOTAL: \$42,428

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 19 year old, two-story, single-family dwelling of frame construction with 2,292 square feet of living area. Features of the dwelling include two and one-half baths, a full unfinished basement, and a two-car garage. The property has a 12,452 square foot site and is located in Palatine Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables. The appellant requested the subject's total assessment be reduced to \$33,265.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$42,428. The subject has a total improvement assessment of

\$38,070 or \$16.61 per square foot of living area. In support of the assessment, the board of review submitted four equity comparables.

In rebuttal, the appellant's attorney submitted the board of review's 2020 decision lowering the subject's assessment to \$37,225. The appellant argued pursuant to the Hoyne Savings & Loan Association v. Hare and 400 Condominium Assn' v. Tully decisions, the appellant requested a reduction in the subject's assessed value. The appellant also distinguished the board of review's comparables based on size.

The parties agreed to write the decision on the evidence.

Conclusion of Law

The appellant contends contention of law as the basis of the appeal. In support of this argument, the appellant submitted the board of review's 2020 decision lowering the subject's assessment. Pursuant to the Hoyne Savings & Loan Association v. Hare and 400 Condominium Assn' v. Tully decisions, the appellant requested a reduction in the subject's assessed value.

Evidence showing that the subject received a reduction in a later year is admissible, and can be a relevant factor in determining whether the assessment for the tax year at issue is grossly excessive. Hoyne Savings & Loan Ass'n v. Hare, 60 Ill. 2d 84, 90 (1974). However, when such evidence is taken into account, consideration must be given to any changes in the property that may have changed the subject's assessed value. Hoyne, 60 Ill. 2d at 90. After an analysis of the assessment data, the Board finds that a reduction in the subject's assessment is not warranted.

The Board finds that under Hoyne, it cannot consider the 2020 reduction by the board of review because no information/evidence was submitted regarding any changes in the subject property or the basis for the 2020 reduction. Therefore, the Board finds that a reduction is not warranted.

The taxpayer also 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 Board finds the best evidence of assessment equity to be the appellant's comparables #1 and #3 the board of review's comparable #4. These comparables are similar in age, amenities, and location. These comparables had improvement assessments that ranged from \$14.34 to \$17.50 per square foot of living area. The subject's improvement assessment of \$16.61 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 appellant contends contention of law as the basis of the appeal. In support of this argument, the appellant submitted the board of review's 2010 decision lowering the subject's assessment. Pursuant to the Hoyne Savings & Loan Association v. Hare and 400 Condominium Assn' v. Tully decisions, the appellant requested a reduction in the subject's assessed value.

Evidence showing that the subject received a reduction in a later year is admissible, and can be a relevant factor in determining whether the assessment for the tax year at issue is grossly excessive. Hoyne Savings & Loan Ass'n v. Hare, 60 Ill. 2d 84, 90 (1974). However, when such evidence is taken into account, consideration must be given to any changes in the property that may have changed the subject's assessed value. Hoyne, 60 Ill. 2d at 90. After an analysis of the assessment data, the Board finds that a reduction in the subject's assessment is not warranted.

The Board finds that under Hoyne, it cannot consider the 2010 reduction by the board of review because the reduction was based on vacancy, demolition, fire or natural disaster. The appellant did not submit any evidence of the subject's condition for the 2009 tax year for comparison. Therefore, the Board finds that a reduction is not warranted.

The Board finds that under Hoyne, it cannot consider the 2010 reduction by the board of review because the reduction was based on vacancy. In addition, the appellant did not submit any evidence regarding vacancy for the subject for the 2009 or 2010 tax years for comparison.

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:

May 21, 2024



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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