



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

APPELLANT: Charles Pastors
DOCKET NO.: 20-20065.001-R-1
PARCEL NO.: 16-06-418-019-0000

The parties of record before the Property Tax Appeal Board are Charles Pastors, the appellant(s); 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: \$11,223
IMPR.: \$39,210
TOTAL: \$50,433

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 2020 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, single-family dwelling of frame construction with 2,614 square feet of living area. The building is 116 years old. Features of the home include a full unfinished basement, a fireplace and a 2-car garage. The property has a 9,976 square foot site and is located in Oak Park, Oak Park Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables. All of the comparables were improved with a two-story, single-family dwelling of either frame or stucco construction. The improvements ranged: in age between 106 and 129 years old; in size between 2,280 and 2,373 square feet of living area; and in improvement assessment from \$12.34 to \$15.04 per square foot of living area. Based on this evidence, the appellant is requesting an assessment amount of \$45,419. Additionally, the appellant submitted a letter detailing the

importance and differences between comparables based on their location within Oak Park and the classification of homes on “neighborhood” versus “arterial” streets.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,353. The subject property has an improvement assessment of \$47,130 or \$18.03 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. All were improved with a two-story, single-family dwelling of frame construction with a full basement. The improvements ranged: in age from 98 to 105 years old; in size between 2,249 and 2,541 square feet of living area; and in improvement assessment from \$19.19 to \$21.38 per square foot of living area.

In written rebuttal, the appellant argued that the board of review’s four suggested comparable properties should be given less weight due to their location. In support of this argument the appellant submitted a letter outlining the distinguishing characteristics and significance of the location differences for the competing comparable properties. The appellant reaffirmed the request for an assessment reduction.

During the May 3, 2023, hearing, appellant, testified detailing the differences between his comparables versus those relied upon by the board of review. The appellant argued that location should be a heavily weighted factor. He testified the subject property is located on Ridgeland Avenue in Oak Park which is a busy, “arterial” street with bus routes, traffic lights and a higher speed limit. His position was that the board of review’s comparables were on quieter, “residential” streets with lower speed limits, no traffic lights and significantly lighter traffic.

The board of review argued that the appellant’s own comparables #2 through #4 are technically on a section of Ridgeland that is classified by the County as “residential.” Because of that the appellant’s comparables are similar to those chosen by the board of review and should be given the weighted similarly.

Conclusion of Law

The taxpayer asserts assessment inequity as the basis of the appeal. The Illinois Constitution requires that real estate taxes, “be levied uniformly by valuation ascertained as the General Assembly shall provide by law.” Ill. Const. art. IX, §4 (1970); Walsh v. Property Tax Appeal Board, 181 Ill. 2d 228, 234 (1998). This uniformity provision of the Illinois Constitution does not require absolute equality in taxation, however, and it is sufficient if the taxing authority achieves a reasonable degree of uniformity. Peacock v. Property Tax Appeal Board, 339 Ill. App. 3d 1060, 1070 (4th Dist. 2003).

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); Walsh, 181 Ill. 2d at 234 (1998). Clear and convincing evidence means more than a preponderance of the evidence, but it does not need to approach the degree of proof needed for a conviction of a crime. Bazyldo v. Volant, 164 Ill. 2d 207, 213 (1995). 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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #2 and #3. These comparables had improvement assessments that ranged from \$12.34 to \$15.04 per square foot of living area. The subject's improvement assessment of \$18.03 per square foot of living area falls above the range established by the best comparables in this record. These comparables were given more weight due their location, regardless to its technical designation as either "arterial" or "residential." The subject property's location on a busy street with heavy traffic, bus routes, traffic lights and a higher speed limit is not on par with a residence of similar physical characteristics, located on an interior street with lower speed limits, less traffic, no buses and no traffic lights. Based on this record, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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: June 27, 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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