



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

APPELLANT: Dennis Hurta  
DOCKET NO.: 20-20381.001-R-1  
PARCEL NO.: 23-10-401-077-0000

The parties of record before the Property Tax Appeal Board are Dennis Hurta, the appellant, by attorney Noah J. 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:** \$11,690  
**IMPR.:** \$39,920  
**TOTAL:** \$51,610

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 1.5-story dwelling of masonry exterior construction with 5,308 square feet of living area. The dwelling is approximately 19 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 4-car garage. The property has an approximately 19,484 square foot site and is located in Palos Hills, Palos Township, Cook County. The subject is classified as a class 2-04 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 a grid analysis and property characteristic printouts with information on five equity comparables that are located in Palos Park or Palos Hills and three of the comparables have the same assessment neighborhood code as the subject. The comparables are class 2-04 properties improved with 1-story or 1.5 to 1.9-story

dwellings of frame, masonry or frame and masonry exterior construction ranging in size from 3,776 to 4,296 square feet of living area. The dwellings are 10 to 57 years old. Four comparables each have a full or partial basement, one of which has finished area. Each comparable has central air conditioning and from a 2-car to a 3-car garage. Four comparables each have one or two fireplaces. The comparables have improvement assessments that range from \$11,457 to \$29,048 or from \$2.67 to \$7.19 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$29,140 or \$5.49 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$51,610. The subject property has an improvement assessment of \$39,920 or \$7.52 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on six equity comparables that are located in Palos Park, where comparable #4 is a duplicate of comparable #1.<sup>1</sup> The comparables are class 2-04 properties improved with 1-story or 1.5-story dwellings of masonry, stucco or frame and masonry exterior construction ranging in size from 2,288 to 4,470 square feet of living area. The dwellings are 15 to 73 years old. Comparable #3 has a crawl space foundation and five comparables each have a full or partial basement, three of which have finished area. Five comparables have central air conditioning. Each comparable has one to four fireplaces and from a 1-car to a 4-car garage. The comparables have improvement assessments that range from \$20,107 to \$53,719 or from \$8.41 to \$13.40 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **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 a total of eleven comparable properties for the Board's consideration. The Board finds none of the comparables are truly similar to the subject due to significant differences in location, dwelling size, design, age and/or features. Nonetheless, the Board has given less weight to the appellant's comparables #1 and #2, along with the comparables submitted by the board of review which differ from the subject in location, as each are located in Palos Park, whereas the subject is located in Palos Hills. The Board has also given less weight to the appellant's comparable #3 due to its 1-story design and lack of a basement, when compared to the subject.

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<sup>1</sup> The board of review's second set of four comparables have been renumbered #4 through #7, for ease of reference.

The Board finds the appellant's comparables #4 and #5 are most similar to the subject in location and design. However, both comparables have significantly smaller dwelling sizes and smaller garages, and comparable #4 is considerably older in age when compared the subject, suggesting upward adjustments would be required for these differences to make the comparables more equivalent to the subject. Nevertheless, the comparables have improvement assessments of \$23,300 and \$29,048 or \$6.17 and \$7.19 per square foot of living area, respectively. The subject's improvement assessment of \$39,920 or \$7.52 per square foot of living area falls above the range established by the best comparables in the record, which appears to be logical given its larger dwelling size, newer age and superior features. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, 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.

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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Dennis Hurta, by attorney:  
Noah J. Schmidt  
Schmidt Salzman & Moran, Ltd.  
111 W. Washington St.  
Suite 1300  
Chicago, IL 60602

COUNTY

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