



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

APPELLANT: Lenora Miller
DOCKET NO.: 20-20389.001-R-1
PARCEL NO.: 23-25-427-003-0000

The parties of record before the Property Tax Appeal Board are Lenora Miller, 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 **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: \$8,712
IMPR.: \$7,024
TOTAL: \$15,736

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 one-story single-family dwelling of frame and masonry exterior construction with 1,422 square feet of living area. The dwelling is approximately 68 years old. Features of the home include a partial unfinished basement and a two-car garage. The property has a 15,840 square foot site and is located in Palos Heights, Palos 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 concerning the improvement as the basis of the appeal.¹ In support of this argument, the appellant submitted information on five equity

¹ While the Board recognizes that "recent sale" was marked as the basis of the appeal on the petition, the evidence and brief consistently argue lack of assessment equity.

comparables² located in the same neighborhood code as the subject. The comparables consist of class 2-03 one-story dwellings of masonry or frame and masonry exterior construction which range in age from 63 to 66 years old. The comparables range in size from 1,319 to 1,545 square feet of living area. The appellant provided property characteristic printouts for the comparables depicting foundation types for four comparables; no foundation type was provided for comparable #4. Comparables 2 and #5 each have concrete slab foundations and comparables #1 and #3 have full and partial unfinished basements, respectively. Two dwellings have central air conditioning. Each comparable has one or two fireplaces and each comparable has from a one-car to a two-car garage. The comparables have improvement assessments ranging from \$6,419 to \$8,822 or from \$4.86 to \$6.00 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$7,024 or \$4.94 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 \$19,490. The subject property has an improvement assessment of \$10,778 or \$7.58 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 located in the same neighborhood code and the subarea as the subject. The comparables consist of class 2-03 1-story or 1.5-story dwellings of frame or masonry exterior construction which range in age from 52 to 78 years old. The comparables range in size from 1,078 to 1,700 square feet of living area. Three comparables have full or partial unfinished basements and one comparable has a crawl-space foundation. Comparable #1 has central air conditioning and a fireplace. Each comparable has either a one-car or a two-car garage. The comparables have improvement assessments ranging from \$10,733 to \$19,900 or from \$8.79 to \$14.60 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of nine comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #2 and #5 as well as board of review comparable #2 due to differences in foundation type when compared to the subject. The Board has given reduced weight to board of review comparables #1, #3 and #4 due to differences in age, design, dwelling size and/or features when compared to the subject.

² The fifth property has been renumbered by the Board for purposes of this decision and ease of analysis.

The Board finds the best evidence of assessment equity to be appellant's comparables #1, #3 and #4 which present varying degrees of similarity to the subject in age, dwelling size and/or other features. These comparables have improvement assessments ranging from \$6,621 to \$8,822 or from \$4.86 to \$5.83 per square foot of living area. The subject's improvement assessment of \$10,788 or \$7.58 per square foot of living area falls above the range established by the best comparables in this record both in terms of overall assessment and on a per-square-foot of living area basis.

Based on this record and after considering adjustments for differences to the best comparables when compared to the subject, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction commensurate with the appellant's request 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 18, 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

Lenora Miller, 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