



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

APPELLANT: Dale Smirl
DOCKET NO.: 20-20444.001-R-1
PARCEL NO.: 16-06-422-005-0000

The parties of record before the Property Tax Appeal Board are Dale Smirl, 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: \$18,060
IMPR.: \$50,206
TOTAL: \$68,266

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-story dwelling of frame exterior construction with 2,694 square feet of living area. The dwelling is approximately 116 years old. Features of the home include an unfinished basement, central air conditioning, and a 1-car garage. The property has a 17,200 square foot site and is located in Oak Park, Oak Park 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 subject's improvement as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables located in the subject's neighborhood code,¹ along with property characteristic printouts for the comparables and are improved with "1.5-1.9"-story, class 2-04

¹ For ease of reference, the Board has identified the last comparable as #5.

dwelling of frame, stucco, or frame and masonry exterior construction ranging in size from 2,162 to 4,637 square feet of living area. The homes range from 53 to 102 years old. Based on the property printouts, four comparables each have a basement, two of which have finished area, and one comparable is reported to lack a basement foundation. Three comparables each have central air conditioning, two comparables each have one fireplace, and each comparable has either a 2-car or a 3.5-car garage. The comparables have improvement assessments ranging from \$32,420 to \$75,757 or from \$15.00 to \$18.42 per square foot of living area. Based on this evidence the appellant requested that the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$68,266. The subject property has an improvement assessment of \$50,206 or \$18.64 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 subject's neighborhood code and are improved with 1-story or 1.5-story, class 2-04 dwellings of masonry or frame and masonry exterior construction ranging in size from 1,866 to 2,380 square feet of living area. The homes range from 57 to 69 years old. Three comparables each have a basement, two of which have finished area, and one comparable has a crawl space foundation. Two comparables each have central air conditioning, three comparables have either one or two fireplaces, and three comparables each have a 2-car garage. The comparables have improvement assessments ranging from \$45,924 to \$58,146 or from \$21.92 to \$30.67 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 appellant 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 equity comparables for the Board's consideration with varying degrees of similarity in features. The Board finds none of the comparables in this record are truly similar to the subject as each one presents several differences from the subject in, including but not limited to, design, age, dwelling size, fireplace count, central air conditioning amenity, basement finish, foundation type, and/or garage size/garage amenity. The comparables in the record have improvement assessments ranging from \$32,420 to \$75,757 or from \$15.00 to \$30.67 per square foot of living area. The subject's improvement assessment of \$50,206 or \$18.64 per square foot of living area falls within the range established by the 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.

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: _____

October 15, 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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