



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

APPELLANT: Nicholas Berg
DOCKET NO.: 20-20454.001-R-1
PARCEL NO.: 16-07-209-013-0000

The parties of record before the Property Tax Appeal Board are Nicholas Berg, 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: \$9,030
IMPR.: \$60,543
TOTAL: \$69,573

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 2-story dwelling of stucco exterior construction with 2,572 square feet of living area. The dwelling is approximately 106 years old. Features of the home include an unfinished basement, one fireplace, and a 2-car garage. The property has an 8,600 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 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 same neighborhood code as the subject property¹, along with property characteristic printouts for the comparables. The comparables are improved with 2-

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

story, class 2-06 dwellings of frame, masonry, or stucco exterior construction ranging in size from 2,528 to 2,827 square feet of living area. The homes range from 82 to 142 years old. Based on the property printouts, each comparable has a basement, two of which have finished area. Two comparables each have central air conditioning, two comparables have either one or two fireplaces, and each comparable has a 2-car garage. The comparables have improvement assessments ranging from \$52,038 to \$62,252 or from \$19.82 to \$22.02 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 \$69,573. The subject property has an improvement assessment of \$60,543 or \$23.54 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on four comparable properties located in the same neighborhood code as the subject property. The comparables are improved with 2-story, class 2-06 dwellings of stucco exterior construction ranging in size from 1,734 to 3,830 square feet of living area. The homes range from 97 to 122 years old. Each comparable has an unfinished basement and one fireplace. Three comparables each have central air conditioning and three comparables have either a 2-car or a 4-car garage. The comparables have improvement assessments ranging from \$42,206 to \$83,609 or from \$21.83 to \$24.82 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. The Board finds the best evidence of assessment equity to be the appellant's comparables #4 and #5 as well as the board of review comparable #2 which are overall more similar to the subject in location, design, age, dwelling size, and some features. These comparables have improvement assessments ranging from \$60,309 to \$63,862 or from \$21.91 to \$23.41 per square foot of living area. The subject's improvement assessment of \$60,543 or \$23.54 per square foot of living area falls within the range established by the best comparables in this record on an overall basis but above on a per square foot basis. The subject's higher per square improvement assessment is logical considering its smaller dwelling size as well as the necessary adjustments for differences from the best comparables and the accepted real-estate principle of the economies of scale. The board gives less weight to the parties' remaining comparables due to differences in age, dwelling size, and/or basement finish when compared to the subject. Therefore, based on this record and after considering adjustments to the best comparables for differences from 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: _____

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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