



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

APPELLANT: Kenneth Wiater
DOCKET NO.: 20-20530.001-R-1
PARCEL NO.: 02-20-400-005-0000

The parties of record before the Property Tax Appeal Board are Kenneth Wiater, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Northbrook; 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: \$13,773
IMPR.: \$30,772
TOTAL: \$44,545

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 masonry exterior construction with 2,322 square feet of living area. The dwelling is approximately 47 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 2-car garage. The property has a 68,868 square foot site and is located in Inverness, Palatine 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 information on four equity comparables that are located in the subject's assessment neighborhood code. The comparables are improved with class 2-04 dwellings of masonry exterior construction ranging in size from 3,671 to 4,400 square feet of living area. The comparables range in age from 40 to 48 years old.

Each comparable has an unfinished basement, central air conditioning, one fireplace and either a 2.5-car, a 3-car or a 3.5-car garage. The comparables have improvement assessments ranging from \$44,629 to \$53,319 or from \$11.76 to \$12.38 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$28,143 or \$12.12 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 44,545. The subject property has an improvement assessment of \$30,772 or \$13.25 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 that are located in the subject's assessment neighborhood code. The comparables are improved with class 2-04, 1-story dwellings of masonry or frame and masonry exterior construction ranging in size from 2,370 to 3,486 square feet of living area. The comparables range in age from 44 to 59 years old. Three comparables each have a basement with one comparable having finished area, and one comparable has a concrete slab foundation. Each comparable has central air conditioning, one or two fireplaces and either a 2-car, a 3-car or a 4-car garage. The comparables have improvement assessments ranging from \$32,222 to \$46,951 or from \$13.47 to \$14.00 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 eight suggested comparables for the Board's consideration. Except for the board of review comparable #1, the parties' comparables have dwelling sizes that are from 22% to 89% larger than the subject dwelling. Nonetheless, the Board gives the most weight to the board of review comparables #1, #2 and #3 which are significantly closer to the subject in dwelling size than the remaining comparables in the record. Although board of review comparable #1 is similar to the subject in dwelling size, it is inferior to the subject due to its older age and lack of basement foundation, unlike the subject that has an unfinished basement. While the board of review comparables #2 and #3 are similar to the subject in age, these comparables are superior to the subject due to their 22% and 23% larger dwelling sizes, basement finish, and/or larger garage capacity. Nevertheless, these three comparables have improvement assessments ranging from \$32,222 to \$40,041 or from \$13.47 to \$14.00 per square foot of living area. The subject's improvement assessment of \$30,772 or \$13.25 per square foot of living area falls below the range established by these three comparables. The Board gives less weight to the parties' remaining comparables due to their substantially larger dwelling sizes when compared to the subject.. Based on this record and after considering adjustments to the

appellant's three most similar 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: _____

August 20, 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

Kenneth Wiater, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld & Associates, LLC
40 Skokie Blvd
Suite 150
Northbrook, IL 60062

COUNTY

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