



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

APPELLANT: Russell Umbricht
DOCKET NO.: 20-22231.001-R-1
PARCEL NO.: 16-06-325-014-0000

The parties of record before the Property Tax Appeal Board are Russell Umbricht, the appellant, by attorney Kevin B. Hynes, of O'Keefe Lyons & Hynes, LLC 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: \$17,955
IMPR.: \$66,045
TOTAL: \$84,000

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 and brick exterior construction with 4,473 square feet of living area.¹ The dwelling is approximately 112 years old. Features of the home include a basement, two fireplaces, and a 1-car garage. The property has a 17,100 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 both overvaluation and assessment inequity concerning the improvement as the bases of the appeal. In support of the overvaluation argument, the appellant submitted an appraisal estimating the subject property had a market value of \$840,000 as of January 1, 2020.

¹ The parties differ regarding the subject's dwelling size. The Board finds the best evidence of dwelling size is found in the appraisal which contains a sketch with detailed measurements of the subject.

The appraisal was prepared by Brian T. McNamara, a certified general real estate appraiser, to estimate the market value of the subject as of the effective date.

Under the sales comparison approach, the appraiser selected six comparable sales located in Oak Park. The parcels range in size from 8,400 to 25,800 square feet of land area and are improved with 2-story or 2.5-story homes of frame, stucco, or stucco and brick exterior construction ranging in size from 4,000 to 5,980 square feet of living area. The dwellings range in age from 95 to 149 years old and are reported to be in average/good, good, or excellent condition. Each home has a basement, a 2-car or a 3-car garage, and one to six fireplaces. Four homes have central air conditioning. The comparables sold from April 2019 to August 2020 for prices ranging from \$750,000 to \$975,000 or from \$133.76 to \$206.10 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as lot size, quality of construction, condition, bathroom count, dwelling size, and other features and amenities, to arrive at adjusted prices ranging from \$742,000 to \$900,000. Based on this analysis, the appraiser concluded a value for the subject of \$840,000 as of January 1, 2020.

In support of the assessment inequity argument, the appellant submitted information on eight equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 2-story, Class 2-06 homes of frame, masonry, or frame and masonry exterior construction ranging in size from 3,447 to 4,863 square feet of living area. The dwellings range in age from 94 to 142 years old. Seven homes each have a basement, two of which have finished area, and six homes each have central air conditioning. Six homes each have one or two fireplaces and seven homes each have from a 2-car to a 3-car garage. The comparables have improvement assessments ranging from \$40,029 to \$80,191 or from \$11.26 to \$16.49 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$97,506. The subject's assessment reflects a market value of \$975,060 or \$217.99 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject has an improvement assessment of \$79,551 or \$17.73 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four comparables located within the same assessment neighborhood code as the subject and on the same block or same subarea as the subject. The parcels range in size from 8,350 to 16,600 square feet of land area and are improved with 2-story, Class 2-06 homes of frame, masonry, or stucco exterior construction ranging in size from 2,240 to 3,787 square feet of living area. The dwellings range in age from 95 to 122 years old. Each home has a basement, three of which have finished area, a fireplace, and a 2-car or a 2.5-car garage. Two homes have central air conditioning. The comparables have improvement assessments ranging from \$40,477 to \$72,649 or from \$18.07 to \$21.14 per square foot of living area. Two comparables sold in March and September 2020 for prices of \$845,000 and \$455,512 or \$228.13 and \$203.35 per square foot of living area, including land, respectively. The comparables have improvement assessments ranging from \$40,477 to \$72,649 or from \$18.07 to \$21.14 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be sustained.

Conclusion of Law

The appellant contends in part the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c).

The appellant presented an appraisal and the board of review presented two comparable sales for the Board's consideration. The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The Board finds the appraiser selected comparable properties that are relatively similar to the subject in dwelling size, age, location, lot size, and features and made appropriate adjustments to these comparables for differences from the subject. The subject's assessment reflects a market value of \$975,060 or \$217.99 per square foot of living area, including land, which is above the appraised value conclusion. The Board finds the subject property had a market value of \$840,000 as of the assessment date at issue. Since market value has been established the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2).

The appellant also 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 record contains a total of twelve equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #1 through #4 and #5 and the board of review's comparables, which are less similar to the subject in dwelling size, age, and/or garage amenity than the other comparables in this record.

The Board finds the best evidence of assessment equity to be the appellant's comparables #6, #7, and #8, which are more similar to the subject in dwelling size, age, location, and some features, although these comparables have larger garages than the subject and one comparable has finished basement area and central air conditioning unlike the subject, suggesting downward adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables have improvement assessments ranging from \$72,131 to \$80,191 or from \$16.00 to \$16.49 per square foot of living area. The subject's improvement assessment, as reduced herein, of \$66,045 or \$14.77 per square foot of living area falls below the range established by the best comparables in this record. Based on this evidence, and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds no further reduction in the subject's improvement 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:

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

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