



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

APPELLANT: John Neven
DOCKET NO.: 20-24097.001-R-1
PARCEL NO.: 22-31-303-013-0000

The parties of record before the Property Tax Appeal Board are John Neven, the appellant, by attorney John W. Zapala, of the Law Offices of John Zapala, P.C. 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: \$6,092
IMPR.: \$37,154
TOTAL: \$43,246

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 3,218 square feet of living area. The dwelling is approximately 28 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 2-car garage. The property has a 48,743 square foot site and is located in Lemont, Lemont 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 regarding the improvement and overvaluation as the bases of the appeal. In support of the inequity argument the appellant submitted information on five comparables located within the same assessment neighborhood code as the subject and from .11 to .84 of a mile from the subject property. The comparables are improved with class 2-04 dwellings of masonry exterior construction ranging in size from 3,076 to 3,770 square feet of living area. The homes are 16 to 33 years old and have full or partial unfinished basements. Four comparables have central air conditioning. Each comparable has one fireplace and either a 2-car

or a 3-car garage. The comparables have improvement assessments ranging from \$31,232 to \$38,289 or from \$9.11 to \$10.63 per square foot of living area.

In support of the overvaluation argument the appellant submitted information on three comparable sales located within the same assessment neighborhood code as the subject and from .66 to .98 of a mile from the subject property. The comparables are situated on sites ranging in size from 9,942 to 20,341 square feet of land area and are improved with class 2-04 dwellings ranging in size from 2,411 to 2,654 square feet of living area. The homes are 24 to 27 years old and have full or partial unfinished basements. Each comparable has central air conditioning, one fireplace and either a 2-car or a 2.5-car garage. The comparables sold from March 2017 to September 2018 for prices ranging from \$320,000 to \$395,000 or from \$133.76 to \$161.22 per square foot of living area, including land. Based on the foregoing 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 \$43,246. The subject's assessment reflects a market value of \$432,460 or \$134.39 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 property has an improvement assessment of \$37,154 or \$11.55 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 and four comparable sales. The equity comparables are located within the same assessment neighborhood code as the subject and within the same subarea from the subject property. The comparables are improved with class 2-04, 1-story or 1.5-story dwellings of masonry or frame and masonry exterior construction ranging in size from 2,794 to 3,513 square feet of living area. The comparables are 15 to 31 years old and have full unfinished basements. Each comparable has central air conditioning, one fireplace and from a 2-car to a 3.5-car garage. The comparables have improvement assessments ranging from \$32,849 to \$43,768 or from \$11.62 to \$12.46 per square foot of living area.

With respect to the overvaluation the board of review submitted four comparable sales that are located within the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 14,416 to 54,014 square feet of land area and are improved with class 2-04, 1-story or 1.5-story dwellings of stucco, masonry or frame exterior construction ranging in size from 2,957 to 3,620 square feet of living area. The comparables are 7 to 50 years old with three comparables having partial or full basements, one with finished area and one comparable has a concrete slab foundation. Each comparable has central air conditioning and from a 2-car to a 4-car garage. Two comparables each have either one or two fireplaces. The comparables sold from December 2019 to October 2020 for prices ranging from \$525,000 to \$675,000 or from \$156.08 to \$228.27 per square foot of living area, including land. Based on this evidence the board review requests confirmation of the subject's assessment.

Conclusion of Law

The appellant contends in part 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 record contains nine equity comparables for the Board's consideration. The Board gives less weight to appellant's comparables #1, #2 and #4 along with board of review comparables #3 and #4 due to their dissimilar dwelling size, age and/or lack of central air conditioning when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparables #3 and #5 along with board of review comparables #1 and #2 which overall are more similar to the subject in location, design, age, dwelling size and features. These comparables have improvement assessments ranging from \$32,695 to \$43,768 or from \$10.14 to \$12.46 per square foot of living area. The subject's improvement assessment of \$37,154 or \$11.55 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments to the best comparables for differences when compared to 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 warranted.

The appellant also contends 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 Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains nine comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables due to their smaller dwelling size when compared to the subject. The Board gives less weight to board of review comparable #1 due to its dissimilar slab foundation when compared to the subject's basement.

The Board finds the best evidence of market value to be the board of review comparables #2, #3 and #4 which are relatively similar to the subject in location, age, dwelling size and some features. However, board of review comparable #4 has finished basement area unlike the subject, and a smaller lot size suggesting adjustments are necessary to make it more equivalent to the subject. These comparables in December 2019 and October 2020 for prices ranging from \$525,000 to \$675,000 or from \$169.79 to \$228.27 per square foot of living area, including land. The subject's assessment reflects a market value of \$432,460 or \$134.39 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not prove by a

preponderance of the evidence that a reduction in the subject's assessment is justified based on overvaluation.

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

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