



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

APPELLANT: Entero LLC  
DOCKET NO.: 20-28047.001-R-1  
PARCEL NO.: 22-20-420-017-0000

The parties of record before the Property Tax Appeal Board are Entero LLC, the appellant, by attorney Edwin M. Wittenstein, of Worsek & Vihon 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:** \$1,074  
**IMPR.:** \$24,100  
**TOTAL:** \$25,174

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 two-story mixed use commercial/residential building with masonry exterior construction and 3,008 square feet of building area. The building is reported to be 23 years old.<sup>1</sup> Features of the property include a partial concrete slab foundation and an unfinished partial basement<sup>2</sup> and central air conditioning. The property has an approximately 1,953 square foot site and is located in Lemont, Lemont Township, Cook County. The subject is classified as a class 2-12 property under the Cook County Real Property Assessment Classification Ordinance.

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<sup>1</sup> The Board finds the exterior photograph of the subject property does not appear to reflect its reported age.

<sup>2</sup> The Board finds the best description of the subject's foundation was disclosed in Section III of the appeal petition which depicts the subject property to have a partial concrete slab and partial unfinished basement foundation.

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 six equity comparables located in the same assessment neighborhood code as the subject property. The comparables are improved with two-story, class 2-12 mixed use commercial/residential buildings of frame, masonry, or frame and masonry exterior construction ranging in size from 2,800 to 3,444 square feet of building area. The buildings range in age from 126 to 167 years old. Each comparable has an unfinished partial basement and central air conditioning. The comparables have improvement assessments ranging from \$20,083 to \$21,949 or from \$5.85 to \$7.61 per square foot of building area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$17,597 or \$5.85 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,519. The subject property has an improvement assessment of \$27,445 or \$9.12 per square foot of building area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables located in the same assessment neighborhood code as the subject property. The comparables are improved with two-story class 2-12 buildings of frame exterior construction ranging in size from 1,176 to 2,430 square feet of building area. The homes range in age from 129 to 151 years old. Two comparables have an unfinished partial basement and two comparables each have a concrete slab foundation. Two buildings have central air conditioning, and one property has a 1-car garage. The comparables have improvement assessments that range from \$16,735 to \$22,346 or from \$9.20 to \$14.31 per square foot of building 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted ten equity comparables for the Board's consideration. The Board gives less weight to appellant comparables #1 and #2 which are less similar to the subject in building size. The Board gives less weight to each of the board of review comparables which are substantially smaller in building size than the subject, lack central air conditioning and/or have a garage unlike the subject property.

The Board finds the best evidence of assessment equity to be appellant comparables #3, #4, #5 and #6 which are more similar to the subject in location, design, building size and other features. These best comparables have improvement assessments ranging from \$20,083 to \$21,949 or from \$6.17 to \$7.61 per square foot of building area. The subject's improvement assessment of \$27,445 or \$9.12 per square foot of building area falls above the range established by the best comparables in this record. After considering adjustments to the comparables for differences

from the subject, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's 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

AGENCY

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