



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

APPELLANT: Robert Cholewick
DOCKET NO.: 20-30992.001-R-1 through 20-30992.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Robert Cholewick, 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
20-30992.001-R-1	18-04-321-002-0000	2,455	0	\$2,455
20-30992.002-R-1	18-04-321-003-0000	5,580	68,000	\$73,580

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 two parcels improved with a 2-story dwelling of frame exterior construction with 4,041 square feet of living area. The dwelling is approximately 122 years old. Features of the dwelling include an unfinished basement, 3.0 bathrooms, and a 3-car garage. The property has a 6,200 square foot site and is located in La Grange, Lyons 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 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

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

characteristic printouts for the comparables. The comparables are improved with 2-story, class 2-06 dwellings of frame, masonry, or stucco exterior construction ranging in size from 3,817 to 4,801 square feet of living area. The comparables range in age from 97 to 122 years old. Based on the property printouts, four comparables each have an unfinished basement and one comparable lacks a basement foundation. Three comparables each have central air conditioning, each comparable has from one to three fireplaces, and four comparables each have from a 1-car to a 2.5-car garage. Each comparable has from 2.5 to 4.5 bathrooms. The comparables have improvement assessments ranging from \$53,771 to \$70,226 or from \$14.05 to \$16.82 per square foot of living area. Based on this evidence, the appellant requested that the subject's total improvement assessment be reduced.

The appellant's submission included a copy of the "Cook County Board of Review" final decision dated March 22, 2021 which disclosed the subject has a total assessment for the two parcels of \$80,282. The "Addendum to Petition" disclosed the subject's total assessment reflects a total land assessment of \$8,035 and a total improvement assessment of \$72,247 or \$17.88 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" for only one of the parcels under appeal. Nevertheless, in support of its contention of the correct assessment, the board of review submitted information on four equity comparables located in the same neighborhood code as the subject property. The comparables are improved with 2-story, class 2-06 dwellings of frame exterior construction ranging in size from 2,845 to 3,704 square feet of living area. The comparables range in age from 112 to 132 years old. Each comparable has a basement, two of which have finished area, central air conditioning, one or two fireplaces, and a 2-car garage. Each comparable has from 2.0 to 3.0 bathrooms. The comparables have improvement assessments ranging from \$59,218 to \$71,564 or from \$19.32 to \$22.27 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 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted nine suggested comparables for the Board's consideration. The Board finds the best evidence of assessment equity to be the appellant's comparables #1 and #5 as well as board of review comparable #4 which are overall more similar to the subject in location, design, age, and dwelling size with varying degrees of similarity in other features. The best comparables have improvement assessments ranging from \$57,846 to \$71,564 or from \$14.05 to \$19.32 per square foot of building area. The Board gives most weight to the appellant's comparable #5 which is most similar in dwelling size to the subject but varies from the subject in

some features and has an improvement assessment of \$68,867 or \$16.82 per square foot of living area. The subject's improvement assessment of \$72,247 or \$17.88 per square foot of living area falls above the range established by the best comparables in this record on an overall improvement assessment basis but within the range on a per square foot basis as well as falling above the appellant's comparable #5 which was given most weight by the Board. The Board gives less weight to the parties' remaining comparables due to differences in dwelling size or foundation type 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 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

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: _____

July 16, 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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