



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

APPELLANT: Caloway Gavin III
DOCKET NO.: 20-31371.001-R-1
PARCEL NO.: 03-32-211-041-0000

The parties of record before the Property Tax Appeal Board are Caloway Gavin III, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. 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 **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: \$5,362
IMPR.: \$29,850
TOTAL: \$35,212

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 frame exterior construction with 2,262 square feet of living area. The dwelling is approximately 69 years old. Features of the home include a slab foundation, central air conditioning, one fireplace and a 2-car garage. The property has a 6,500 square foot site and is located in Arlington Heights, Wheeling 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 four equity comparables with the same assessment neighborhood code as the subject. The comparables are class 2-06 properties improved with 2-story dwellings of frame and masonry exterior construction ranging in size from 2,284 to 2,631 square feet of living area. The dwellings are 63

or 68 years old. Three comparables have partial or full basements, two of which have finished basement area. Three comparables have central air conditioning. Three comparables each have one or two fireplaces. Each comparable has a 1.5-car or a 2-car garage. The comparables have improvement assessments ranging from \$29,313 to \$33,572 or from \$11.98 to \$14.14 square feet 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 \$396,292. The subject property has an improvement assessment of \$33,930 or \$15.00 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 with the same assessment neighborhood code as the subject. The comparables are class 2-05 or 2-06 properties improved with 2-story dwellings of frame and masonry exterior construction ranging in size from 1,773 to 2,407 square feet of living area. The homes are 65 to 78 years old. Three comparables have partial or full basements with two having finished area. One comparable has a slab foundation. Three comparables have central air conditioning and three comparables each have one fireplace. Each comparable has a 1-car or a 2-car garage. The comparables have improvement assessments ranging from \$30,777 to \$41,336 or from \$17.12 to \$17.36 per square foot of living area. Based on this evidence the board of review requested confirmation of the subject's assessment.

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 record contains eight suggested comparables for the Board's consideration. The Board gives less weight to appellant's comparables #2 and #3 as well as the board of review comparables which are less similar in dwelling size and/or have finished basement area when compared to the subject.

The Board finds the best evidence of equity to be appellant's comparables #1 and #4 which overall are more similar to the subject in location, age, dwelling size and features. However, one comparable has basement unlike the subject. These comparables have improvement assessments of \$29,313 and \$33,572 or \$12.57 and \$13.82 per square foot of living area. The subject's improvement assessment of \$33,930 or \$15.00 per square foot of living area falls above the best comparables in this record both on an overall and a per square foot bases. After considering adjustments to the best comparables for differences when compared to 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: _____

April 15, 2025



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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