



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

APPELLANT: Elliot Hamilton
DOCKET NO.: 20-31377.001-R-1
PARCEL NO.: 03-20-413-019-0000

The parties of record before the Property Tax Appeal Board are Elliot Hamilton, the appellant, by Eric Feldman, attorney-at-law 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 **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: \$4,062
IMPR.: \$22,964
TOTAL: \$27,026

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 is improved with a one-story dwelling of frame and masonry exterior construction with 1,047 square feet of living area. The dwelling is approximately 65 years old. Features of the property include a full unfinished basement, one bathroom and a detached 2-car garage. The property has a 6,500 square foot site located in Arlington Heights, Wheeling Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends inequity regarding the improvement assessment as the basis of the appeal. In support of this argument the appellant submitted information on five equity comparables composed of class 2-03 properties improved with one-story dwellings of masonry or frame and masonry exterior construction that range in size from 1,029 to 1,166 square feet of living area. The homes range in age from 60 to 66 years old. Each comparable has a full or

partial basement with one having finished area, 1 or 1½ bathrooms, and a 2-car or a 2.5-car garage. Two comparables have central air conditioning. These properties have the same assessment neighborhood code as the subject property and are located from .01 to .46 or a mile from the subject property. Their improvement assessments range from \$13,883 to \$19,700 or from \$13.49 to \$16.90 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$16,103.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,026. The subject property has an improvement assessment of \$22,964 or \$21.93 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four assessment equity comparables composed of class 2-03 properties improved with one-story dwellings of frame and masonry exterior construction that have either 1,047 or 1,053 square feet of living area. The homes are 65 or 66 years old. Each property has a full basement with three having finished area, 1 or 2 bathrooms, and a 2-car garage. One comparable has central air conditioning. These properties have the same assessment neighborhood code as the subject property and are located in the same block or ¼ of a mile from the subject property. Their improvement assessments range from \$23,298 to \$24,117 or from \$22.13 to \$23.03 per square foot of living area. The board of review contends the building assessed value per square foot for the comparables are the same or higher than the subject, which supports the correctness of the 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted nine equity comparables with the same classification code and neighborhood code as the subject property to support their respective positions. The dwellings are similar to the subject in style and age. The Board gives less weight to appellant's comparables #3 and #4 as each property has central air conditioning, unlike the subject, and comparable #4 has finished basement area, unlike the subject. The Board gives less weight to board of review comparable #2 due to the fact this property has an additional bath, finished basement area, and central air conditioning, making the property superior to the subject. The Board gives less weight to board of review comparables #3 and #4 due to each property having finished basement area, unlike the subject property. The Board finds the best evidence of assessment equity to be appellant's comparables #1, #2 and #4 along with board of review comparable #1, which range in size from 1,029 to 1,053 square feet of living area and in age from 60 to 66 years old. These four properties are most similar to the subject in features. These comparables have improvement assessments that range from \$13,883 to \$23,445 or from \$13.49 to \$22.26 per square foot of living area. The subject's improvement assessment of \$22,964 or

\$21.93 per square foot of living area falls within the range established by the best comparables in this record.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. *Apex Motor Fuel Co. v. Barrett*, 20 Ill. 2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not all assessed at identical levels, all that the constitution requires is a practical uniformity which exists based on the evidence in this record.

Based on this record 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 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: March 18, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Elliot Hamilton, by attorney:
Eric Feldman
Eric Feldman & Assoc. P.C.
53 W. Jackson Blvd.
Suite 1622
Chicago, IL 60604

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602