



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

APPELLANT: Robert Toton
DOCKET NO.: 20-32250.001-R-1
PARCEL NO.: 05-34-222-006-0000

The parties of record before the Property Tax Appeal Board are Robert Toton, the appellant; 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: \$17,600
IMPR.: \$65,000
TOTAL: \$82,600

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 dwelling of stucco exterior construction with 3,290 square feet of living area. The dwelling is approximately 111 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a 2.5-car garage. The property has an 8,000 square foot site and is located in Wilmette, New Trier Township, Cook County. The subject dwelling 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 fourteen equity comparables located within the same neighborhood code as the subject property. Appellant's comparables #1 and #2 are also located next door or three doors down from the subject and within the same block and along the same street as the subject. The comparables are improved with class 2-06 two-story dwellings of stucco exterior construction ranging in size from 2,968 to

3,411 square feet of living area. The dwellings range in age from 96 to 119 years old and have partial or full basements, six of which have finished area. Ten comparables each have central air conditioning. Each comparable has one or two fireplaces. Twelve comparables have from a 1-car to a 3-car garage. The comparables have improvement assessments ranging from \$22,648 to \$65,621 or from \$7.16 to \$20.80 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$65,000 or \$19.76 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$97,185. The subject property has an improvement assessment of \$79,585 or \$24.19 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 located within the same neighborhood code as the subject property and a quarter of a mile from the subject property. The comparables are improved with class 2-06 two-story dwellings of frame, stucco, or frame and masonry exterior construction ranging in size from 2,987 to 3,505 square feet of living area. The dwellings range in age from 108 to 131 years old and have partial or full basements, two of which have finished area. Each comparable has central air conditioning, one or two fireplaces, and either a 2-car or a 3-car garage. The comparables have improvement assessments ranging from \$81,146 to \$96,891 or from \$26.00 to \$28.54 per square foot of living area. Based on this evidence, the board of review requested that 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 eighteen suggested comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #6, #7, #10 and #12 which lack central air conditioning and/or a garage, unlike the subject. Appellant's comparable #6 was also given reduced weight as its considerably lower improvement assessment appears to be an outlier relative to the other comparables in the record. In addition, the Board also gives less weight to the board of review comparable #3 due to its older age when compared to the subject.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables that are relatively similar to the subject in overall property characteristics. These 13 comparables have improvement assessments ranging from \$46,621 to \$96,891 or from \$13.67 to \$28.54 per square foot of living area. The subject's improvement assessment of 79,585 or \$24.19 per square foot of living area falls within the range established by the most similar comparables in this record. However, the Board finds the subject's improvement assessment falls above the improvement assessments of the appellant's comparables #1 and #2 of \$65,200 and \$55,479 or

\$20.80 and 17.08 per square foot of living area, respectively, which are the two best comparables in this record. The Board gives greater weight to these two comparables which are located next door or three houses down from the subject and are also similar to the subject in design, exterior construction, age, dwelling size, foundation, and other features. Based on this record, 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 commensurate with the appellant's request 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:

August 23, 2022



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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