



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

APPELLANT: David Weiss
DOCKET NO.: 20-35227.001-R-1 through 20-35227.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are David Weiss, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
20-35227.001-R-1	10-17-429-008-0000	3,300	27,459	\$30,759
20-35227.002-R-1	10-17-429-043-0000	1,600	3,051	\$4,651

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 containing a two-story dwelling of masonry exterior construction with 2,262 square feet of living area. The dwelling is approximately 63 years old. Features of the home include a concrete slab foundation, central air conditioning, one fireplace and a one-car garage. The property has a 6,125 square foot site and is located in Morton Grove, Niles 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 located in the same neighborhood code as the subject property. The comparables are improved with class 2-06 dwellings of masonry exterior construction ranging in size from 2,906 to 3,648 square feet of living area and in age from 64 to 71 years old. Three comparables

each have an unfinished full or partial basement and one comparable has a concrete slab foundation. Each comparable has central air conditioning and a two-car garage. One comparable has one fireplace. The comparables have improvement assessments ranging from \$34,171 to \$41,418 or from \$11.35 to \$11.97 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$26,488 or \$11.71 per square foot of living area.

The appellant submitted a copy of the final decision of the Cook County Board of Review dated May 10, 2021 for the 2020 assessment year concerning the two parcels which depicts assessments of \$30,759 for Parcel #1 (PIN 10-17-429-008-0000) and \$4,651 for Parcel #2 (PIN 10-17-429-043-0000). The subject's two parcels have a combined total assessment of \$35,410 and a total improvement assessment of \$30,510 or \$13.49 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" providing assessment information on only one parcel under appeal. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables located within a different village and neighborhood code than the subject property. The comparables are improved with class 2-06 two-story dwellings of masonry, stucco or frame and masonry exterior construction ranging in size from 2,340 to 2,940 square feet of living area and in age from 72 to 94 years old. The comparables each have a full or partial basement, one of which has finished area. Three comparables each have central air conditioning. Each comparable has one or two fireplaces and a one-car or a two-car garage. The comparables have improvement assessments ranging from \$52,931 to \$66,964 or from \$22.62 to \$24.59 per square foot of living area. Based on this evidence, the board of review requested the 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparables for the Board's consideration. The Board gives less weight to the board of review comparables due to their different locations when compared to the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables which are similar to the subject property in location, age dwelling size and some features, except each of these comparables has a larger dwelling size than the subject. These comparables have improvement assessments ranging from \$34,171 to \$41,418 or from \$11.35 to \$11.97 per square foot of living area. The subject's improvement assessment of \$30,510 or \$13.49 per square foot of living area falls below the range established by the best comparables in this record on an overall basis but above on a per square basis. Furthermore due to economies of scale, accepted

real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Due to its smaller size, the subject's estimated market value as reflected by its assessment is well supported by a preponderance of the credible market evidence contained on this record. After considering adjustments to the comparables for differences when compared to the subject, 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:

April 19, 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

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