



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

APPELLANT: Mozell Barnes
DOCKET NO.: 20-35859.001-R-1
PARCEL NO.: 29-26-113-029-0000

The parties of record before the Property Tax Appeal Board are Mozell Barnes, 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 **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: \$8,082
IMPR.: \$14,331
TOTAL: \$22,413

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 frame and masonry exterior construction with 3,201 square feet of living area. The dwelling is approximately 49 years old. Features include a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has a 17,015 square foot site and is located in South Holland, Thornton Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity concerning the improvement assessment as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables¹ located in the same assigned neighborhood code as the subject along with property characteristics sheets for the comparables. The comparables consist of class 2-78 two-story

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

dwelling of frame, masonry or frame and masonry exterior construction that range in age from 12 to 53 years old. The dwellings range in size from 2,610 to 3,555 square feet of living area. Based on the attached characteristics sheets, each comparable has a full or partial basement, two of which have finished area. Each home has central air conditioning, one or two fireplaces and a two-car or a three-car garage. The comparables have improvement assessments ranging from \$8,139 to \$9,508 or from \$2.67 to \$3.30 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$9,923 or \$3.10 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 \$22,413. The subject property has an improvement assessment of \$14,331 or \$4.48 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 in the same neighborhood code and either the same block, subarea or within ¼ of a mile from the subject. The comparables consist of class 2-78 two-story dwellings of frame and masonry exterior construction ranging in age from 50 to 53 years old. The dwellings range in size from 2,288 to 2,974 square feet of living area. Each comparable has a full or partial basement, two of which have finished area. Each comparable has central air conditioning, a fireplace and a two-car garage. Comparables #1 and #3 each have "other improvements" which were not further identified on the record. The comparables have improvement assessments ranging from \$12,467 to \$16,425 or from \$4.26 to \$6.69 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment as reflecting an equitable assessment.

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 a total of nine equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables #2, #4 and #5 as well as board of review comparables #2 and #4, which differ substantially from the subject in either age, dwelling size and/or having finished basement area when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparables #1 and #3 along with board of review comparables #1 and #3 which are most similar to the subject in age, size, foundation and some features. Three of the four of these comparables are smaller than the subject dwelling and would necessitate upward adjustments to make them more equivalent to the subject. Additionally, each of these four comparables are older than the subject dwelling and

would necessitate upward adjustments to account for the subject's newer age. These comparables have improvement assessments ranging from \$9,388 to \$12,681 or from \$2.67 to \$4.41 per square foot of living area. The subject's improvement assessment of \$14,331 or \$4.48 per square foot of living area falls above the range established by the best comparables in this record which appears to be logical given the subject's newer age and larger living area when compared to each of the best comparable sales, except appellant's comparable #1. Based on this record and after considering appropriate adjustments to each of the best 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

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

AGENCY

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