



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

APPELLANT: Andrew Maxwell
DOCKET NO.: 20-49023.001-R-1
PARCEL NO.: 14-17-300-041-0000

The parties of record before the Property Tax Appeal Board are Andrew Maxwell, the appellant, by attorney Dora Cornelio, 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: \$19,200
IMPR.: \$49,062
TOTAL: \$68,262

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2018 tax year final administrative decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 2,160 square feet of living area. The dwelling is approximately 116 years old. Features of the home include a basement with finished area¹ and a 2-car garage. The property has a 4,000 square foot site and is located in Chicago, Lakeview Township, Cook County. The subject is classified as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and assessment inequity concerning the improvement as the bases of the appeal. In support of the overvaluation argument, the appellant disclosed the subject sold on November 1, 2021 for a price of \$615,000. The appellant completed Section IV

¹ The parties differ regarding the subject's basement finish. The Board finds the best evidence of basement finish is found in the appellant's evidence, which was not refuted by documentary evidence submitted by the board of review.

– Recent Sale Data of the appeal petition disclosing the parties to the sale were not related, the property sold through a realtor and was advertised for sale on the Multiple Listing Service for one month, and the sale was not due to foreclosure or by contract for deed. In support of the sale, the appellant presented a copy of a settlement statement disclosing an aggregate purchase price of \$1,300,000 for the subject and other property.

In support of the assessment inequity argument, the appellant also submitted information on five equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 2-story, Class 2-05 homes of stucco, masonry, or frame exterior construction ranging in size from 2,066 to 2,190 square feet of living area. The dwellings range in age from 114 to 144 years old. Each home has a basement, two of which have finished area, and one home has a fireplace. Three homes each have from a 1-car to a 2.5-car garage. The comparables have improvement assessments ranging from \$37,075 to \$44,595 or from \$17.25 to \$21.44 per square foot 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 \$68,262. The subject property has an improvement assessment of \$49,062 or \$22.71 per square foot of living area. The subject's assessment reflects a market value of \$680,260 or \$316.03 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%. In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within the same assessment neighborhood code as the subject. The parcels range in size from 4,000 to 4,782 square feet of land area and are improved with 2-story, Class 2-05 homes of frame exterior construction ranging in size from 1,572 to 2,025 square feet of living area. The dwellings range in age from 112 to 135 years old. Each home has a basement, one of which has finished area. Three homes have central air conditioning and a 1.5-car or a 2-car garage. Two homes each have a fireplace. The comparables sold from May 2018 to September 2020 for prices ranging from \$745,000 to \$1,115,000 or from \$417.28 to \$709.29 per square foot of living area, including land. The board of review also reported the subject sold on February 1, 2018 for a price of \$615,000.

The board of review also submitted information on four equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 2-story, Class 2-05 homes of frame exterior construction ranging in size from 1,927 to 2,101 square feet of living area. The dwellings range in age from 116 to 125 years old. Each home has a basement, one of which has finished area, and a 2-car garage. Two homes each have a fireplace and three homes have central air conditioning. The comparables have improvement assessments ranging from \$46,330 to \$55,210 or from \$22.88 to \$28.24 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be sustained.

Conclusion of Law

The appellant contends in part the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales

or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains evidence of a November 2021 sale of the subject and four comparable sales for the Board's consideration. The Board gives less weight to the subject's November 2021 sale, which occurred approximately 23 months after the January 1, 2020 assessment date and is less likely to be indicative of market value as of that date. The Board also gives less weight to the February 2018 sale of the subject as this sale also occurred more remote in time from the assessment date.

The Board finds the best evidence of market value to be the board of review's comparables #1, #2, and #4, which sold more proximate in time to the assessment date and are similar to the subject in age, location, site size, and some features, although two comparables are substantially smaller homes than the subject, suggesting upward adjustments to these comparables would be needed to make them more equivalent to the subject. The Board gave less weight to the board of review's comparable #3, which sold less proximate in time to the assessment date than the other comparables in this record. These comparables sold for prices ranging from \$745,000 to \$887,500 or from \$417.28 to \$529.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$680,260 or \$316.03 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's assessment is not justified.

The appellant also 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 record contains a total of eight equity comparables for the Board's consideration, which are relatively similar to the subject in dwelling size, age, location, and features. The comparables have improvement assessments that range from \$37,075 to \$55,210 or from \$17.95 to \$28.24 per square foot of living area. The subject's improvement assessment of \$49,062 or \$22.71 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering appropriate adjustments to the best comparables for differences from 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:

May 21, 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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