



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

APPELLANT: Robert & Rahcel Duncan
DOCKET NO.: 21-21431.001-R-1
PARCEL NO.: 05-22-100-009-0000

The parties of record before the Property Tax Appeal Board are Robert & Rahcel Duncan, the appellants, 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: \$49,804
IMPR.: \$78,536
TOTAL: \$128,340

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2021 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 4,338 square feet of living area. The dwelling is approximately 90 years old. Features of the home include a full unfinished basement, 3½ bathrooms, central air conditioning, two fireplaces, and a 1.5-car garage. The property has an 18,446 square foot site and is located in Kenilworth, New Trier Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend assessment inequity concerning the improvement as the basis of the appeal. In support of this argument, the appellants submitted information on five equity comparables¹ located in the same neighborhood code as the subject. The appellants supplied property characteristics printouts with additional data concerning basement, basement finish and

¹ For ease of reference, the Board has renumbered the last property to comparable #5.

half-bath features which have been added for clarity. The comparables consist of class 2-06 two-story dwellings of stucco, frame, masonry, or frame and masonry exterior construction. The dwellings range in age from 63 to 121 years old and range in size from 3,957 to 4,536 square feet of living area. Four comparables have full or partial basements, two of which have formal recreation rooms. Features include from 2½ to 4½ bathrooms, one or two fireplaces, and either a 2-car or a 2.5-car garage. The comparables have improvement assessments ranging from \$44,905 to \$64,180 or from \$10.65 to \$15.13 per square foot of living area.

Based on this evidence, the appellants requested a reduced improvement assessment of \$55,266 or \$12.74 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 \$128,340. The subject property has an improvement assessment of \$78,536 or \$18.10 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 same block as the subject. The comparables consist of class 2-06 two-story dwellings of stucco, frame, or frame and masonry exterior construction that are 63 to 93 years old. The homes range in size from 2,480 to 3,911 square feet of living area. Each comparable has a full or partial basement, one of which has a formal recreation room, 2 to 4 bathrooms with either 1 or 2 half-baths, two or four fireplaces, and a two-car or a three-car garage. Three comparables each have central air conditioning. The comparables have improvement assessments ranging from \$48,714 to \$84,030 or from \$19.64 to \$21.49 per square foot of living area.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayers contend 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 appellants 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 appellants' comparables #2, #3 and #4 as well as board of review comparables #1, #2 and #3, due to substantial differences in age which range from 63 to 121 years old when compared to the subject dwelling that is 90 years old.

The Board finds the best evidence of assessment equity in the record are appellants' comparables #1 and #5 along with board of review comparable #4, which are each relatively similar to the subject in location and age with differences in dwelling size, basement size, basement finish,

fireplace count and/or garage capacity. Downward adjustments for differences in garage capacity appear to be necessary to account for the subject's 1.5-car garage as compared to the two-car capacity of these comparables in order to make the comparables more equivalent to the subject. Upward adjustments for differences in age and dwelling size appear warranted when compared to the subject. Downward adjustments to each of the best appellants' comparables are suggested for finished basement feature as compared to the subject's unfinished basement and an upward adjustment to board of review comparable #4 is indicated for its smaller basement size when compared for the subject. These comparables have improvement assessments ranging from \$44,905 to \$84,030 or from \$10.65 to \$21.49 per square foot of living area. The subject's improvement assessment of \$78,536 or \$18.10 per square foot of living area falls within the range established by the best comparables in this record both in terms of overall improvement assessment and on a per-square-foot of living area basis.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. 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 assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

Based on this record and after considering appropriate adjustments to the best comparables for differences when compared to the subject property, the Board finds the appellants 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

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