



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

APPELLANT: Erin Banks
DOCKET NO.: 21-29538.001-R-1
PARCEL NO.: 16-13-327-045-0000

The parties of record before the Property Tax Appeal Board are Erin Banks, the appellant(s), by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Northbrook; 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: \$3,684
IMPR.: \$22,501
TOTAL: \$26,185

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 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 14-year-old, three-story, multi-family dwelling of masonry construction with 3,707 square feet of living area. Features of the home include a slab foundation and central air conditioning. The property has a 3,135 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's asserts overvaluation and assessment inequity in this appeal. In support of the overvaluation argument the appellant submitted evidence disclosing that the subject property was purchased on March 3, 2021, for a price of \$300,000. The appellant lists the subject's total assessment as \$37,936. The subject's total assessment reflects a market value of \$379,360 or \$120.43 per square foot of living area, land included, when using the Cook County Real Estate

Classification Ordinance level of assessment for class 2 property of 10%. The appellant requested a reduction in the subject's assessment to reflect the purchase price.

In support of the assessment inequity argument the appellant submitted information on four equity comparables with varying degrees of similarities to the subject. The appellant did not report the exact proximity of the suggested comparables to the subject but disclosed that they had the same neighborhood code as the subject. The comparables had improvement assessments ranging from \$5.16 to \$6.79 per square foot of living area. The subject's improvement assessment is \$34,252, or \$9.24 per square foot of living area. The appellant requested the subject's total assessment be reduced to \$26,185.

The board of review sought and received an extension of time to file its supporting evidence, however the record does not contain evidence in support of the board of review's contention of the correct assessment.

The Board of Review was found in default by the Board for failing to submit its evidence on time. The Board of review was notified that this appeal would proceed based on the evidence submitted by the appellant. Any further evidence received from the Board of Review would not be considered in determining the correct assessment of the subject property. 86 Ill.Admin.Code §1910.40(d).

Conclusion of Law

The appellant first contends 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 appellants *did not meet* this burden of proof and a reduction in the subject's assessment on this basis *is not* warranted.

The appellants presented evidence that the subject property was sold on March 3, 2021, for a price of \$300,000. The appellants completed Section IV - Recent Sale Data of the PTAB residential appeal form and disclosed that the parties to the transaction were not related, the property was sold by the owner, the property had not been advertised on the open market, and it was not a foreclosure sale. The appellants also submitted a copy of the settlement statement from the transaction. The appellants did not disclose how long the property had been on the market before it was sold.

The evidence demonstrates a lack of realtor involvement in the sale, and a lack of advertising of the property on the open market. There is no evidence about what the owner did to market the subject or how long it was on the market before the sale. The Board gives little weight to the subject's sale because of the absence of evidence that it was exposed to the market.

The Board will now consider appellant's assessment inequity argument to determine if a reduction is warranted under this basis. 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 further reduction in the subject's assessment on this basis *is* warranted.

The Board finds the best and only evidence of assessment equity to be appellant's comparables. These comparables had improvement assessments that ranged from \$5.16 to \$6.79 per square foot of living area. The subject's improvement assessment of \$9.24 per square foot of living area falls above the range established by the best comparables in this record. 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 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: 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Erin Banks, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld & Associates, LLC
40 Skokie Blvd
Suite 150
Northbrook, IL 60062

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602