



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

APPELLANT: Charles Kinzer
DOCKET NO.: 21-36847.001-R-1
PARCEL NO.: 14-20-313-026-0000

The parties of record before the Property Tax Appeal Board are Charles Kinzer, the appellant, by attorney Ciarra 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 **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: \$45,000
IMPR.: \$28,000
TOTAL: \$73,000

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 2-story apartment building of masonry exterior construction with 2,304 square feet of gross building area. The building is approximately 113 years old. Features of the building include a full basement and a 1.5-car garage. The property has a 3,000 square foot site and is located in Chicago, Lake View 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 appeal is based on both unequal treatment in the assessment process as well as overvaluation concerning the subject property. In support of the inequity argument the appellant submitted information on five equity comparables located within the subject's assessment neighborhood. The comparables consist of 2-story class 2-11 buildings of frame, masonry, or frame and masonry exterior construction ranging in size from 2,112 to 2,296 square feet of gross

building area. The buildings range in age from 115 to 140 years old. Each building has a basement, one of which has finished area. One comparable has a 3.5-car garage.¹ The comparables have improvement assessments ranging from \$19,960 to \$23,375 or from \$9.42 to \$10.69 per square foot of gross building area.

In support of the overvaluation argument, the appellant submitted evidence disclosing the subject property was purchased on August 11, 2020 for a price of \$730,000. The appellant reported that the seller was James Palermo, the parties to the transaction were not related, and the property sold through @properties. The appellant also indicated the property was advertised for sale through the Multiple Listing Service (MLS) for an undisclosed length of time and was not sold using a contract for deed. The appellant also submitted a copy of the purchase contract.

Based on this evidence, the appellant requested a reduced improvement assessment of \$23,938 or \$10.39 per square foot of gross building area and a reduced total assessment of \$68,938 which would reflect a market value of \$689,380 or \$299.21 per square foot of gross building area, land included, when applying the 10% level of assessment under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$92,831. The subject property has an improvement assessment of \$47,831 or \$20.76 per square foot of gross building area. The subject's total assessment reflects a market value of \$928,310 or \$402.91 per square foot of gross building area, including land, when using the 10% level of assessment under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment the board of review submitted information on four comparables located within the subject's assessment neighborhood and within .25 of a mile of the subject. The comparables consist of 2-story class 2-11 buildings of masonry exterior construction ranging in size from 2,156 to 2,468 square feet of gross building area. The buildings are 113 to 127 years old. Each building has a full basement, one of which has finished area. One comparable has central air conditioning and two comparables each have a 2-car garage. The comparables have improvement assessments ranging from \$48,906 to \$61,467 or from \$21.45 to \$25.87 per square foot of gross building area. Comparable #3 sold in May 2021 for a price of \$1,350,000 or \$547.00 per square foot of gross building area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

¹ Although the appellant reported in the grid analysis that comparable #2 has a 3.5-car garage, the property characteristic sheet submitted by the appellant lacks any data regarding a garage.

The Board finds the best evidence of market value to be the purchase of the subject property in August 2020 for a price of \$730,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold using a realtor, and the property had been advertised on the open market with the Multiple Listing Service. In further support of the transaction the appellant submitted a copy of the purchase contract. The Board finds the purchase price is below the market value reflected by the assessment. The board of review did not present any evidence to challenge the arm's length nature of the transaction and the board of review's lone comparable sale does not overcome the subject's arm's length purchase price.

The taxpayer 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 parties submitted nine equity comparables with varying degrees of similarity to the subject. The comparables have improvement assessments ranging from \$19,960 to \$61,467 or from \$9.42 to \$25.87 per square foot of gross building area. The Board finds the subject's improvement assessment as reduced herein of \$28,000 or \$12.15 per square foot of gross building area falls within the range established by the equity comparables in this record, and no further reduction in the subject's assessment is warranted given the reduction for market value considerations.

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

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

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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