



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

APPELLANT: Peter Delp
DOCKET NO.: 21-37513.001-R-1
PARCEL NO.: 14-17-103-021-0000

The parties of record before the Property Tax Appeal Board are Peter Delp, 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 **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: \$47,700
IMPR.: \$59,680
TOTAL: \$107,380

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 two-story dwelling of masonry exterior construction with 3,424 square feet of living area. The dwelling is approximately 105 years old. The home features a full basement that is finished with a formal recreation room,¹ central air conditioning, four full bathrooms, one half bathroom, two fireplaces and a 4-car garage. The property has a 7,950 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on five equity

¹ The board of review disclosed the subject dwelling has a formal recreation room in the basement and an additional half bathroom, that were not refuted by the appellant.

comparables that have the same assessment neighborhood code as the subject. The submission included copies of the property characteristic printouts for each comparable that contain additional descriptive details. The comparables are class 2-06 properties improved with two-story dwellings of frame, masonry or frame and masonry exterior construction ranging in size from 3,110 to 3,668 square feet of living area. The dwellings are from 112 to 127 years old. The comparables each have a full basement, two of which are finished with a recreation room. Each comparable has two or three full bathrooms and two comparables each have two half bathrooms. Two comparables have central air conditioning, four comparables each have a fireplace and four comparables each have from a 3.5-car to a 6 or more-car garage. The comparables have improvement assessments that range from \$32,006 to \$63,100 or from \$9.96 to \$17.34 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$41,293 or \$12.06 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 \$107,380. The subject property has an improvement assessment of \$59,680 or \$17.43 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 that have the same assessment neighborhood code as the subject and are located approximately ¼ of a mile from the subject or in the same subarea. The board of review's comparable #2 is the same property as the appellant's comparable #5. The comparables are class 2-06 properties improved with two-story dwellings of masonry or stucco exterior construction ranging in size from 2,581 to 3,638 square feet of living area. The dwellings are from 115 to 122 years old. The comparables each have a full basement, two of which are finished with a formal recreation room. Each comparable has two or three full bathrooms and two comparables each have one half bathroom. Three comparables each have central air conditioning and a fireplace. Each comparable has either a 2-car or a 3-car garage. The comparables have improvement assessments that range from \$51,500 to \$69,554 or from \$17.34 to \$21.09 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 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 eight comparable properties for the Board's consideration, as one comparable was common to both parties. The Board has given less weight to the appellant's comparables #1, #2, #3 and #4, as well as board of review comparables #1 and #4, due to their lack of central air conditioning and/or basement finish, both features of the subject.

Additionally, the appellant's comparable #1 lacks a garage, a feature of the subject and board of review comparable #4 has a considerably smaller dwelling size, when compared to the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparable #5/board of review comparable #2 and board of review comparable #3, which are overall most similar to the subject in location, dwelling size, design and many features. These two comparables have improvement assessments of \$63,100 and \$60,000 or \$17.34 and \$19.90 per square foot of living area, respectively. The subject's improvement assessment of \$59,680 or \$17.43 per square foot of living area falls below the two best comparables in the record in terms of total improvement assessment and is bracketed on a per square foot basis. Based on this record and after considering adjustments to 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



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: _____

February 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

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

APPELLANT

Peter Delp, by attorney:
Ciarra J. Schmidt
Schmidt Salzman & Moran, Ltd.
111 W. Washington St.
Suite 1300
Chicago, IL 60602

COUNTY

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