



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

APPELLANT: Daniel E. Draper
DOCKET NO.: 21-38910.001-R-1
PARCEL NO.: 14-29-315-099-0000

The parties of record before the Property Tax Appeal Board are Daniel E. Draper, the appellant(s), by attorney Dimitrios Trivizas, of Dimitrios P. Trivizas, Ltd. in Skokie; 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: \$ 89,100
IMPR.: \$ 170,900
TOTAL: \$ 260,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) after receiving a decision from the Cook County Board of Review. The instant appeal challenges the assessment for tax year 2021. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

Findings of Fact

The subject consists of a two-story single-family dwelling of masonry construction with 5,256 square feet of living area. The dwelling is 22 years old. Features of the home include a full basement with a formal recreation room, central air conditioning, two fireplaces, and a two-car garage. The property's site is 5,940 square feet, and it is located in Lake View Township, Cook County. The subject is classified as a class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables. In Section II of the appeal form, the appellant stated that the subject is owner-occupied. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$170,848.

The board of review submitted its “Board of Review Notes on Appeal” disclosing that the total assessment for the subject is \$260,000. The subject property has an improvement assessment of \$170,900, or \$32.52 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables. The board of review’s evidence also states that the subject was purchased in September 2019 for \$2,600,000.

In rebuttal, the appellant argued that the board of review’s notes on appeal included certain information that was not available to the public, and thus, could not be verified.

Prior to the hearing, the board of review made a motion to use the ASIQ printout for the subject for rebuttal or demonstrative purposes. A hearing was held on the motion, and all parties were heard on the matter. During the motion hearing, the appellant clarified that the information referenced in the rebuttal that was not publicly available included the comparables’ condition, number of bedrooms, and total room count. The appellant stated that the Cook County Assessor does not always timely response to requests made under the Freedom of Information Act (“FOIA”). The board of review representative stated that the information objected to by the appellant in rebuttal is available pursuant to a FOIA request. At the conclusion of the motion hearing, the Board’s ALJ denied the motion pursuant to 86 Ill.Admin.Code §1910.67(k), as it was new evidence. Insofar as the board of review argued that the evidence was rebuttal evidence, the Board finds that it is also untimely, as rebuttal evidence submitted by the board of review must be submitted with its notes on appeal. 86 Ill.Admin.Code §1910.40(a)(2). The ALJ stated that the appellant’s arguments made in rebuttal regarding access to certain information contained on the board of review’s notes on appeal would be taken under advisement.

At hearing, both parties reaffirmed the evidence previously submitted.

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 proven 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 that a reduction in the subject’s assessment is not warranted.

Initially, the Board finds the appellant’s argument made in rebuttal is without merit. Upon receiving the board of review’s notes on appeal, the appellant is entitled to 30 days to respond. 86 Ill.Admin.Code §1910.66(a). A public body like the board of review is required to respond to FOIA requests within 5 business days, or 10 business days under certain specific circumstances. 5 ILCS 140/3(d) and (e). While stating that the Assessor does not always timely respond to FOIA requests, the appellant did not state that such was the case in this appeal. More importantly, the appellant did not submit any evidence showing the efforts taken to obtain this information, such as any submitted FOIA requests or any denials. As such, the Board finds that

it can consider the evidence on the board of review's notes on appeal regarding the comparables' condition, number of bedrooms, and total room count.

The Board finds the best evidence of assessment equity to be appellant's equity comparables #1, #2, and #3, and board of review equity comparables #1 and #2. These equity comparables had improvement assessments ranging from \$14.02 to \$35.50 per square foot of living area. The subject's improvement assessment of \$32.52 per square foot of living area falls within the range established by the best comparables in this record. Based on this record, the Board finds the appellant has not proven, with clear and convincing evidence, that the subject is inequitably assessed, and that a reduction in the subject's assessment is not warranted.

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: _____

April 15, 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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