



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

APPELLANT: Robert Gilbert
DOCKET NO.: 21-40486.001-R-1
PARCEL NO.: 14-28-300-030-0000

The parties of record before the Property Tax Appeal Board are Robert Gilbert, the appellant, by attorney Abby L. Strauss of Schiller Law P.C. 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: \$60,750
IMPR.: \$53,850
TOTAL: \$114,600

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 1.5-story dwelling of masonry exterior construction with 1,795 square feet of living area. The dwelling is approximately 133 years old. The home features a full basement that is finished with a formal recreation room,¹ central air conditioning, one bathroom and a two-car garage. The property has a 4,050 square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-03 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 four equity comparables that have the same assessment neighborhood code as the subject. The comparables

¹ The board of review disclosed the subject dwelling is finished with a formal recreation room, which was not refuted by the appellant in rebuttal.

are class 2-03 properties that are improved with dwellings of frame or masonry exterior construction ranging in size from 1,619 to 1,778 square feet of living area. The dwellings are from 93 to 137 years old. The comparables each have a full basement. No data was provided by the appellant concerning finished basement area. Each comparable has one or two bathrooms, one comparable has a fireplace and one comparable has a one-car garage. The comparables have improvement assessments that range from \$40,272 to \$47,260 or from \$22.65 to \$27.40 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$45,378 or \$25.28 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 \$125,729. The subject property has an improvement assessment of \$64,979 or \$36.20 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, two of which have the same assessment neighborhood code as the subject. The comparables are class 2-03 properties improved with 1-story or 1.5-story dwellings of frame or masonry exterior construction ranging in size from 1,101 to 1,552 square feet of living area. The dwellings are from 128 to 138 years old. Three comparables each have a full or partial basement, two of which are finished with a formal recreation room and one comparable has a crawl space foundation. Each comparable has one or two bathrooms and three comparables each have either a one-car or a two-car garage. Comparable #4 has central air conditioning and a fireplace. The comparables have improvement assessments that range from \$40,141 to \$55,250 or from \$35.60 to \$38.33 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant argued that board of review comparables #2, #3 and #4 differ from the subject in living area.

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

The parties submitted a total of eight comparable properties for the Board's consideration. The Board has given less weight to the appellant's comparable #3 due to its newer dwelling age, when compared to the subject. The Board has given less weight to board of review comparables due to their considerably smaller dwelling sizes and/or different neighborhood code when compared to the subject.

The Board finds the appellant's comparables #1, #2 and #4 have the same assessment neighborhood code as the subject and are overall most similar to the subject in dwelling size and

age. However, all three comparables lack central air conditioning and basement finish, both features of the subject. Additionally, two comparables lack a garage and one comparable has a smaller garage capacity when compared to the subject. These differences suggest upward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the three comparables have improvement assessments ranging from \$40,272 to \$47,260 or from \$22.65 to \$27.40 per square foot of living area. The subject's improvement assessment of \$64,979 or \$36.20 per square foot of living area falls above the range established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is excessive. Therefore, based on this record, the Board finds a reduction in the subject's assessment is 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: _____

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

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