



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

APPELLANT: DM Real Estate Holdings, LLC
DOCKET NO.: 21-40531.001-R-1
PARCEL NO.: 14-20-415-009-0000

The parties of record before the Property Tax Appeal Board are DM Real Estate Holdings, LLC, 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 **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: \$46,500
IMPR.: \$66,500
TOTAL: \$113,000

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 three-story multi-family building of masonry exterior construction with 4,581 square feet of gross building area and which is approximately 128 years old. Features include a full unfinished basement, 6 bathrooms, and a two-car garage. The property has a 3,100 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 contends assessment inequity concerning the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located in the same neighborhood code as the subject. The comparables consist of class 2-11 buildings of masonry exterior construction that range in age from 99 to 132 years old. The buildings range in size from 4,253 to 4,566 square feet of gross building area. Features

include 3 to 6 bathrooms, a full basement, and three comparables have two-car or three-car garages. Comparable #4 has central air conditioning. The comparables have improvement assessments ranging from \$30,085 to \$47,750 or from \$7.07 to \$10.57 per square foot of gross building area. Based on this evidence, the appellant requested a reduced improvement assessment of \$44,161 or \$9.64 per square foot of gross building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$113,000. The subject property has an improvement assessment of \$66,500 or \$14.52 per square foot of gross building area.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables located in the same neighborhood code as the subject and within ¼ of a mile from the subject. The comparables consist of class 2-11 three-story buildings of masonry exterior construction that are 128 or 133 years old. The buildings range in size from 4,442 to 4,933 square feet of gross building area. Each comparable has a full basement with finished area, 3 to 4 bathrooms, central air conditioning and comparable #2 has a three-car garage. Comparables #3 and #4 have four and three fireplaces, respectively. The comparables have improvement assessments ranging from \$81,264 to \$112,125 or from \$17.04 to \$22.73 per square foot of gross building 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 equity comparables to support their respective positions before the Property Tax Appeal Board. The comparables present varying degrees of similarity to the subject property, although the comparables are all in the subject's neighborhood code and also similar to the subject in classification, story height and exterior construction. The comparables range in age from 99 to 133 years old while the subject is 128 years old. The comparables have varying degrees of similarity to the subject building in size and are all similar in foundation type, however, the board of review comparables are superior to the subject with finished basement area; the appellant did not report data on basement finish for the appellant's comparables. Five of the comparables are also superior to the subject with central air conditioning and two are superior with three and four fireplaces, which are not features of the subject. Four of the comparables are inferior to the subject by lacking a garage amenity whereas the subject has a two-car garage.

The eight comparables have improvement assessments ranging from \$30,085 to \$112,125 or from \$7.07 to \$22.73 per square foot of gross building area, however, removing both the high

and low-end assessments of these eight properties, the range of the remaining six comparables narrows to \$46,000 to \$88,750 or from \$10.45 to \$19.98 per square foot of gross building area. The subject's improvement assessment of \$66,500 or \$14.52 per square foot of gross building area falls within and at the lower end of the range of the best six comparables in this record both in terms of overall improvement assessment and on a per-square-foot of gross building area basis which the Board finds to be logical based on the subject's lack of superior features such as finished basement area and central air conditioning.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

Based on this record and after considering appropriate adjustments to the best six comparables in the record 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

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