



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

APPELLANT: Robert Kimmeth  
DOCKET NO.: 21-40573.001-R-1  
PARCEL NO.: 14-30-221-004-0000

The parties of record before the Property Tax Appeal Board are Robert Kimmeth, 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:** \$39,062  
**IMPR.:** \$56,937  
**TOTAL:** \$95,999

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<sup>1</sup> multi-family building of masonry exterior construction with 3,360 square feet of gross building area. The building is approximately 24 years old. Features of the building include a full unfinished basement, central air conditioning, three full bathrooms, three half bathrooms and one fireplace. The property has a 3,125 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 with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables that have the same assessment neighborhood code as the subject. The comparables

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<sup>1</sup> The photographic evidence provided by the parties depict the subject building with a three-story design.

are class 2-11 properties that are improved with buildings of frame or masonry exterior construction ranging in size from 3,267 to 3,567 square feet of gross building area. The buildings are 26 or 27 years old. The comparables each have a full basement. No data was provided by the appellant concerning finished basement area. Each comparable has three full bathrooms. Comparable #3 has two fireplaces. The comparables have improvement assessments that range from \$43,500 to \$53,969 or from \$13.00 to \$15.13 per square foot of gross building area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$45,423 or \$13.52 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 \$95,999. The subject property has an improvement assessment of \$56,937 or \$16.95 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 that have the same assessment neighborhood code as the subject, one of which is located within the same block and one is located approximately ¼ of a mile from the subject property. The comparables are class 2-11 properties that are improved with two-story or three-story multi-family buildings of frame or masonry exterior construction ranging in size from 3,249 to 3,905 square feet of gross building area. The buildings are from 15 to 29 years old. The comparables each have a full basement that are finished with an apartment or a formal recreation room. Each comparable has from three to six full bathrooms and three comparables each have one or three half bathrooms. Three comparables have central air conditioning and two fireplaces. Comparable #4 has a 2-car garage. The comparables have improvement assessments that range from \$63,937 to \$100,625 or from \$17.58 to \$30.97 per square foot of gross building 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 comparable #3 differs from the subject in "living area" and board of review comparables #1 and #2 have frame exteriors, whereas the subject has a masonry exterior.

### **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 seven comparable properties for the Board's consideration. The Board has given less weight to board of review comparables #3 and #4 which differ from the subject in building size, or they have a garage, not a feature of the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables, along with board of review comparables #1 and #2, which are similar to the subject in location,

building size, age and some features. These five comparables have improvement assessments ranging from \$43,500 to \$78,413 or from \$13.00 to \$23.12 per square foot of gross building area. The subject's improvement assessment of \$56,937 or \$16.95 per square foot of gross building area falls within the range established by the best comparables in the record. 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

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