



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

APPELLANT: Emmett O'Hara
DOCKET NO.: 21-46148.001-R-1
PARCEL NO.: 17-32-117-018-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Emmett O'Hara, the appellant, by attorney Ellen G. Berkshire, of Verros Berkshire, PC in Oakbrook Terrace; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, PTAB hereby finds **No Change** in the Cook County Board of Review's assessment of the property is warranted. The correct assessed valuation of the property is:

LAND: \$18,028
IMPR.: \$70,972
TOTAL: \$89,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a Cook County Board of Review decision 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 3,378 square feet, three-story masonry building on a 4,507 square feet lot in Chicago, South Chicago Township, Cook County. The 17-year-old, class 2-78 residence under the Cook County Real Property Assessment Classification Ordinance included 4.5 bathrooms,¹ a full basement, air conditioning, a fireplace, and a three-car garage.

The appellant contends assessment inequity as the basis of the appeal, arguing that the assessment should be reduced to \$17.78 per improvement square foot. To show that the subject assessment is not uniform, the appellant proposed four class 2-78 properties within 1.1 miles of the subject as equity comparables. These suggested comparators had two to four bathrooms, a two-car garage,

¹ The Property Tax Appeal Board (PTAB) notes inconsistencies between the appellant's description of the subject and the board of review's description. PTAB considered the discrepancies in evaluating the parties' evidence and concludes the discrepancy immaterial to the ultimate outcome.

and a full basement. The appellant's selections further ranged between 10 and 18 years in building age; 3,019 and 3,757 in living square footage; and \$15.46 and \$18.64 per improvement square foot in assessment.

The board of review responded that the subject improvement was fairly assessed at \$70,972, or \$21.01 per living square foot in its "Notes on Appeal." In defense of the \$89,000 total subject assessment, the county board of review offered information about four masonry buildings within a quarter mile of the subject as assessment benchmarks. The board of review's preferred comparables all featured 2.5 to 4.5 bathrooms, a two-car garage, and a full basement. These 17-year-old improvements were 2,997 to 3,019 square feet in area; and \$21.24 to \$22.02 per living square foot in assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. The Illinois Constitution requires real estate taxes "be levied uniformly by valuation ascertained as the General Assembly shall provide by law." Ill. Const., art. IX, § 4 (1970); Walsh v. Property Tax Appeal Board, 181 Ill. 2d 228, 234 (1998). This uniformity provision of the Illinois Constitution does not mandate absolute equality in taxation, however; instead, a reasonable degree of uniformity in the taxing authority's assessments suffices. Peacock v. Property Tax Appeal Board, 339 Ill. App. 3d 1060, 1070 (4th Dist. 2003).

When a property tax appeal is based on unequal treatment in the assessment, the appellant must prove the inequity of the assessments by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e); Walsh, 181 Ill. 2d at 234 (1998). Clear and convincing evidence means more than a preponderance of the evidence, but it does not need to approach the degree of proof required for a criminal conviction. Bazyldo v. Volant, 164 Ill. 2d 207, 213 (1995). Proof of unequal treatment in the assessment process should consist of documentation for the year in question of similarly situated properties of compelling proximity to, and with a lack of distinguishing characteristics from, the subject property. 86 Ill.Admin.Code §1910.65(b). The Property Tax Appeal Board (PTAB) finds the appellant did not satisfy this burden of proof.

As the properties most similar to the subject, board of review comparable #1 and appellant comparables #1 through #3 comprise the best evidence of assessment equity in this record. Board of review comparable #1 contained less living and garage space than the subject as well as two fewer bathrooms. Similarly, the appellant comparables each lacked some of the subject improvement's living area, bathroom utility, and garage space. Given these comparators, the subject would be equitably assessed anywhere between \$15.46 and \$21.86 per improvement square foot. As the subject's \$21.01 per improvement square foot assessment lands inside this range, PTAB finds the appellant did not produce the requisite evidence to justify a reduction in the subject assessment.

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:

March 17, 2026



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

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