



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

APPELLANT: Gary & Linda McCabe  
DOCKET NO.: 21-49197.001-R-1  
PARCEL NO.: 13-12-415-037-0000

The parties of record before the Property Tax Appeal Board are Gary & Linda McCabe, the appellants, by attorney Stephanie Park, of Park & Longstreet, P.C. in Inverness; 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:** \$11,520  
**IMPR.:** \$55,480  
**TOTAL:** \$67,000

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 frame exterior construction with 2,172 square feet of living area. The dwelling was constructed in 1896 and is approximately 125 years old. Features of the home include a full basement with finished area, central air conditioning, and a 2-car garage. The property has a 4,800 square foot site and is located in Chicago, Jefferson Township, Cook County. The property is a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend assessment inequity with respect to the improvement and overvaluation as the bases of the appeal. In support of the inequity argument, the appellants submitted information on three equity comparables with the same assessment neighborhood code as the subject and located within a ¼ of a mile from the subject. The comparables are improved with 1.5-story or 1-story dwellings of masonry or frame and masonry exterior construction ranging in

size from 2,072 to 2,256 square feet of living area. The dwellings are 94 to 100 years old and have full basements. Each comparable has a 1-car or a 1.5-car garage. The comparables have improvement assessments ranging from \$48,541 to \$49,920 or from \$22.13 to \$23.84 per square foot of living area, including land.

In support of the overvaluation argument the appellants submitted an appraisal estimating the subject property had a market value of \$600,000 as of October 3, 2020. The appraisal was prepared by Dan McCain, a Certified Residential Real Estate Appraiser. The purpose of the appraisal was to evaluate the subject property for a private asset valuation. The appraiser indicated an exterior inspection only of the subject property was performed. The appraiser made the extraordinary assumption that the subject property's condition is C-3 which is a condition rating from the Fannie Mae Uniform Appraisal Dataset (UAD) Appendix D.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value utilizing five comparable sales located from .04 to .39 of a mile from the subject property. The comparables have sites ranging in size from 3,556 to 4,800 square feet of land area and are improved with 1.5-story or 2-story dwellings that range in size from 1,450 to 1,648 square feet of living area. The homes range in age from 99 to 135 years old and have basements, three of which have finished area. Four comparables have central air conditioning. Each comparable has 1 or 2 full baths. Three comparables also have 1 or 2 half baths. Four comparables have 2-car garages. The comparables sold from April to September 2020 for prices ranging from \$500,000 to \$675,000 or from \$337.99 to \$411.59 per square foot of living area, including land. The appraiser adjusted comparable #5 for financing concessions. The appraiser also applied adjustments to the comparables for differences from the subject in site size, condition, room count, gross living area, basement finished area, and/or features. After applying these adjustments, the appraiser arrived at an estimated market value of \$600,000 for the subject property.

Based on the foregoing evidence, the appellants requested a reduction in the subject property's total assessment to \$60,000 which reflects the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$67,000. The subject's assessment reflects a market value of \$670,000 or \$308.47 per square foot of living area, including land, when applying the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance. The subject has an improvement assessment of \$55,480 or \$25.54 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparables with the same assessment neighborhood code as the subject. The comparables have sites ranging in size from 3,600 to 6,186 square feet of land area and are improved with 1-story or 1.5-story dwellings of stucco or masonry exterior construction that are 95 to 108 years old. The dwellings range in size from 1,818 to 2,080 square feet of living area and have basements, two of which have finished area. Each comparable has 2 or 3 full baths, one of which has an additional half bath. Three comparables have central air conditioning. Two comparables each have one fireplace. Each comparable has a 1-car, a 1.5-car, or a 2-car garage. Comparables #1 and #2 sold in September 2021 for prices of \$1 and \$860,000 or \$0.00 and

\$473.05 per square foot of living area, including land, respectively. The comparables have improvement assessments ranging from \$59,994 to \$85,040 or from \$33.00 to \$40.96 per square foot of living area. Based on this evidence the board of review contends the subject's assessment is supported.

In written rebuttal, the appellants contend the board of review's unadjusted comparable sales should be given no weight. Comparables #1, #2 and #3 have substantially different dwelling sizes when compared to the subject. For these reasons, the appellants argued the board of review did not meet its burden of proof and its evidence should be given little or no weight.

### **Conclusion of Law**

The appellants contend in part 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains seven suggested equity comparables for the Board's consideration. The Board gives less weight to board of review comparables #1, #2 and #3 which are less similar to the subject in dwelling size.

The Board finds the best evidence of assessment equity to be the appellants' comparables along with board of review comparable #4 which are more similar in dwelling size. However, the appellants' comparables require upward adjustments for their lack of finished basement area, fewer number of baths and smaller garages when compared to the subject. Board of review comparable #4 requires downward adjustments for central air conditioning and fireplace when compared to the subject. Nevertheless, these comparables have improvement assessments ranging from \$48,541 to \$85,040 or from \$22.13 to \$40.88 per square foot of building area. The subject's improvement assessment of \$55,480 or \$25.54 per square foot of building area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellants 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.

The appellants also contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains an appraisal submitted by the appellants and two comparable sales submitted by the board of review.

As to the appraisal, the Board finds the appraiser made questionable and inconsistent adjustments in the sales comparison approach. For example, comparables #3 and #4 both have the same amount of finished basement area and number of finished rooms below grade, but the appraiser applied different adjustments of \$5,000 and \$10,000, respectively without explanation. The appraiser also applied questionable condition adjustments to comparables #4 and #5 given the extraordinary assumption made by the appraiser regarding the subject's condition and exterior inspection of the subject property. Lastly, the appraiser did not provide any market value evidence to support the adjustments in the appraisal. For these reasons, the Board gives less weight to the appraiser's conclusion of value, however, the Board will consider the raw sales data.

The Board gives less weight to appraiser's comparables #1, #2 and #3 which are less similar in dwelling size when compared to the subject and the remaining comparables in the record. The Board gives less weight to board of review comparable #1 as it sold for \$1 which calls into question the arms' length nature of the transaction.

The Board finds the best evidence of market value to be appraisal comparables #4 and #5 along with board of review comparable #2 which overall are more similar to the subject in dwelling size but have varying degrees of similarity in location, age, and features. These properties sold from June 2020 to September 2021 for prices ranging from \$652,000 to \$860,000 or from \$395.63 to \$473.05 per square foot of building area, including land. The subject's assessment reflects an estimated market value of \$670,000 or \$308.47 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record on overall market value and falls below on price per square foot. After considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported. Based on this record the Board finds the appellants did not prove by a preponderance of the evidence that a reduction in the subject's assessment is 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.



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Chairman



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Member



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Member



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Member

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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



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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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