PROPERTY TAX APPEALS CHECKLIST #3

Appeals Based on Correcting a Factual Error

About this Checklist

When homeowners believe their property tax bill is incorrect, they can submit an application appealing their assessment to the Cook County Assessor's Office (CCAO) or the Board of Review (BOR). This checklist focuses on the best evidence for appeals based on correcting a factual error in front of CCAO and BOR. The checklist is not exhaustive and is geared towards appeals filed by taxpayers of single-family, owner-occupied homes. For more details, including information on multi-family or leased income-generating properties, see the Official Appeals Rules for CCAO and BOR (available online). Submitting evidence that doesn't follow the Official Rules or not submitting evidence at all may lead to the denial of a homeowner's appeal.

Impact for Equity has also created evidence checklists for other appeal scenarios, including lack of uniformity and fair market approach, special circumstances, condo or townhome, and recently purchased property.

This document is for informational purposes only and does not constitute legal advice. This document is not a substitute for legal counsel. For legal advice, contact an attorney. For additional information about appeals, contact the Cook County Assessor's Office or Cook County Board of Review.

See the "terms to know" section of this fact sheet for definitions of the highlighted words or phrases.

What are appeals based on correcting a factual error?

Correcting a factual error

If the characteristics of the property and its description are incorrect (e.g., if the CCAO thinks the home has three bedrooms, but there are only two bedrooms), then the homeowner's appeal is called a "Correction of a Factual Error".

What evidence do I need when appealing based on correcting a factual error?

CCAO Evidence Checklist

- ☐ Provide any and all documentation that supports the request for correction. Rules 12 – 21.
- ☐ If property location address is incorrect: Property Location Correction Form + evidence supporting the correct address (e.g., deeds, GIS displays, plat of survey, title commitments, documents from municipality confirming the correct address, etc.). Rule 26.
- ☐ If the land is valued incorrectly: Evidence of comparable properties (comps), purchase and sale document/analysis (e.g., Closing Statements, purchase prices of comps), appraisal value, or other acceptable valuation methods for real estate. Rule 13, 14, 15, 18.
- ☐ If property is overvalued while under construction: Verified contractor's statement with the total cost of construction (excluding land), building permits and occupancy certificate(s), and appeal narrative elaborating on the construction cost and timeline. Rule 19.
- ☐ If the property underwent construction and the CCAO may have incorrectly attributed new improvement values to the property: Any documentation to support this claim, including photos and dates of construction. Rule 19.

Note: If homeowner discovers an error in their assessment, they should contact the CCAO immediately. Clear errors may be corrected via informal assessment. In other cases, homeowners may need to file an appeal with the CCAO or the BOR. If incorrect property characteristics have been applied to prior tax bills, homeowners should reach out to the CCAO about a Certificate of Error.

BOR Evidence Checklist

☐ If incorrect description of the property (e.g., square footage of living area is not accurate): appraisal with the correct characteristics of the property, plat of survey, certified architect's letter, architectural drawings.

Terms to Know

Appraisals: A property appraisal is a professional estimate of a home's fair market value, generally conducted by a licensed appraiser (can be a costly and potentially lengthy process). While appraisals are often considered strong appeal evidence, they are generally not required in appeals applications.

Classification code: Property classifications cover many major classes which include residential, vacant, multi-family, not-for-profit, commercial, and industrial, among others. Each major class is broken down into specific categories.

Comparable (or similar) properties: Properties are comparable to each other if they are of similar type (e.g., single-family home, condo, townhouse, etc.), construction style and materials, size (square footage), characteristics (e.g., number of bedrooms), condition of premises, classification code, age (when the home was built), and location (e.g., same neighborhood, preferably same block or within a block or two).

Plat of survey: A legal map drawing that depicts one property. This document is surveyed by a field crew and certified by a licensed land surveyor. The plat of survey may be required as evidence when appealing to correct a factual error in a property's assessment.

For Additional Information:

A homeowner can file an appeal on their own (pro se) or engage an attorney.

Engaging an attorney may require additional appeal documentation (e.g., Attorney Authorization Form).

Attorneys must adhere to certain procedural requirements that are different from pro se requirements.

A homeowner can only file an appeal if their township appeal window is open. For more information, visit:

CCAO: www.cookcountyassessor.com/assessment-calendar-and-deadlines

BOR: www.cookcountyboardofreview.com/dates-and-deadlines

Appeals can be filed online, in person, or via mail.

Online. CCAO: cookcountyassessor.com/forms | CCBOR: www.cookcountyboardofreview.com/forms

In-person or mail. 118 North Clark Street, Chicago, IL. CCAO: Room 320 | CCBOR: Room 601.

For more information, read the following Impact for Equity fact sheets at impactforequity.org/appeals:

- Common Types of Property Tax Appeals
- Property Tax Appeals Process Flowchart
- Property Tax System General Explainer
- Property Tax System Burdens and Limitations

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