PROPERTY TAX APPEALS CHECKLIST #4

Appeals Based on Special Circumstances

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 special circumstances in front of the 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, correcting a factual error, 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 special circumstances?

Special circumstances

If the property is uninhabitable because of unforeseen circumstances (e.g., fire or flood), then the homeowner's appeal is categorized as an appeal due to "Special Circumstances".

What evidence do I need when appealing based on special circumstances?

CCAO Evidence Checklist

- ☐ If the property is vacated due to unforeseen circumstances: Affidavits explaining the unforeseen circumstance, photographs, utility bills, other relevant documentation (e.g., insurance documents, fire reports, construction invoices, etc.). Rule 20.

Note: Homeowners who experience severe property damage from a catastrophic event are eligible for a home improvement exemption. Evidence for this exemption includes: written description of damages and dates when damages occurred, estimated date of completion for repairs or rebuild, all pertinent records (e.g., photographs, insurance reports, building permits, occupancy certificates).

BOR Evidence Checklist

- ☐ BOR Official Rules do not explicitly address the evidence required for an appeal based on unforeseen circumstances. Evidence that may be useful here includes: any documentation proving the unforeseen circumstance (e.g., photographs of property damage after a flood, insurance claims and reports), and affidavits explaining the unforeseen circumstance.

Terms to Know

Affidavit: A sworn statement by someone with personal knowledge of the facts presented in the affidavit. In certain instances, appeals applications may require affidavits.

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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