

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Joseph Rygiel
DOCKET NO.: 04-21074.001-R-1
PARCEL NO.: 01-27-200-028

The parties of record before the Property Tax Appeal Board are Joseph Rygiel, the appellant, by attorney William Seitz with the law firm of Fisk Kart Katz and Regan in Chicago and the Cook County Board of Review.

The subject property consists of a 101,190 square foot parcel of land improved with a 16-year old, two-story, frame and masonry, single-family dwelling containing 4,986 square feet of living area, three and one-half baths, two fireplaces, air conditioning, and a full, finished basement. The appellant argued unequal treatment in the assessment process as the basis of the appeal.

In support of the equity argument, the appellant, via counsel, submitted information on a total of five properties suggested as comparable and located within one mile of the subject. The properties are described as two-story, masonry, single-family dwellings with three and one-half or and two-half baths, one, two or three fireplaces, air conditioning and a full basement with one finished. The properties range: in age from four to 16 years; in size from 4,330 to 4,964 square feet of living area; and in improvement assessments from \$10.71 to \$13.57 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's improvement assessment of \$77,197 or \$15.48 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within the subject's neighborhood. The properties consist of two-story, masonry or frame and masonry, single-family dwellings with two or three baths, one, two or three fireplaces, air conditioning, and a partial or full, unfinished basement. The properties range: in age from 17 to 26 years; in size from 3,413 to 4,704 square feet of living area; and in improvement assessments from \$15.21 to \$16.59 per square foot of living area. Based on this evidence,

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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:	\$	24,285
IMPR.:	\$	62,325
TOTAL:	\$	86,610

Subject only to the State multiplier as applicable.

the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued that the board of review's suggested comparables are not located as closely to the subject and are not as similar as the appellant's suggested comparables.

After reviewing the record and considering the testimony, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is warranted.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has met this burden.

The parties submitted a total of nine properties suggested as comparable to the subject. The PTAB finds the appellant's comparables and the board of review's comparable #1 are the most similar to the subject in design, size, location, and age. These properties are masonry, two-story, single-family dwellings located within one mile of the subject. The properties range: in age from four to 17 years; in size from 4,330 to 4,964 square feet of living area; and in improvement assessments from \$10.71 to \$15.21 per square foot of living area. In comparison, the subject's improvement assessment of \$15.48 per square foot of living area is above the range of comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported and a reduction in the subject's assessment is warranted.

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.



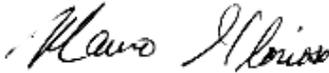
Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

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: June 19, 2009



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 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 the subsequent year 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.

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.