PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Wladyslaw Waksmundzki
DOCKET NO.: 04-21992.001-R-1
PARCEL NO.: 18-26-105-035-0000

The parties of record before the Property Tax Appeal Board are Wladyslaw Waksmundzki, the appellant, by attorney Julie Realmuto of McCarthy & Duffy, Chicago, Illinois; and the Cook County Board of Review.

The subject property is improved with a 42-year old, one-story dwelling of masonry construction containing 1,426 square feet of living area with a partial unfinished basement and a two-car detached garage.

The appellant's appeal is based on unequal treatment in the assessment process. In support of this argument the appellant submitted information on three comparable properties described as one-story frame or masonry dwellings that are either 45 or 47 years old for consideration. The comparables range in size from 1,176 to 1,392 square feet of living area. Two of the comparables have partial basements. These properties have improvement assessments ranging from $2.19 to $3.06 per square foot of living area. The subject's improvement assessment is $5.15 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 final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of one-story frame or frame and masonry dwellings that range in age from 42 to 50 years old. The dwellings range in size from 1,125 to 1,728 square feet of living area. The comparables have either a slab or crawl space foundation. Three comparables have 1, 2 or 2.5-car detached garages while one has a 2-car attached garage. These properties have improvement assessments ranging from $5.36 to $6.49 per square foot of living area. Based on this evidence,

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Based on the facts and exhibits presented, 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:	$	8,984
IMPR.:	$	7,345
TOTAL:	$	16,329

Subject only to the State multiplier as applicable.

PTAB/smw/04-21992/10-08

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

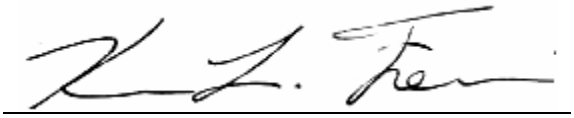
After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is not warranted.

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 not met this burden.

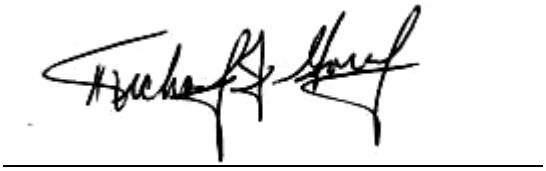
The Board finds the comparables numbered 2 and 3 submitted by the appellant and comparables 2 and 4 submitted by the board of review were most similar to the subject in size containing from 1,332 to 1,638 square feet of living area. Three of these comparables were somewhat inferior to the subject due to their crawl space foundations and frame construction. Nevertheless, these four comparables had improvement assessments that ranged from $2.32 to $5.49 per square foot of living area. The subject's improvement assessment of $5.15 per square foot of living area is within this range. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not 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



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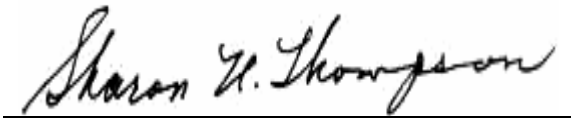

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Member

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: October 31, 2008

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.