



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

APPELLANT: Leonard Jagielo
DOCKET NO.: 07-25682.001-R-1
PARCEL NO.: 02-22-405-024-0000

The parties of record before the Property Tax Appeal Board are Leonard Jagielo, the appellant(s); and the Cook County Board of Review.

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: \$ 22,158
IMPR.: \$ 41,389
TOTAL: \$ 63,547

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 29,156 square foot parcel improved with a 35-year-old, two-story, single-family dwelling of frame and masonry construction containing 2,743 square feet of living area and located in Palatine Township, Cook County. Features of the residence include two and one-half bathrooms, a partial-finished basement, central air-conditioning, a fireplace and a two-car attached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on four properties suggested as comparable to the subject. However, the appellant's evidence disclosed that the appellant's comparable four is prorated with one or more tax parcels; therefore, this property will not be used in this analysis. Based on the appellant's documents, the three

remaining comparables consist of two-story, single-family dwellings of frame and masonry construction located within 12 blocks of the subject. The improvements range in size from 2,172 to 3,037 square feet of living area and range in age from 27 to 33 years. The comparables contain two and one-half or three and one-half bathrooms, a partial or full-unfinished basement and a two-car attached garage. Two comparables contain central air-conditioning and one comparable has a fireplace. The improvement assessments range from \$9.16 to \$10.67 per square foot of living area. Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$63,547. The subject's improvement assessment is \$41,389 or \$15.09 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on three properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of frame and masonry construction with the same neighborhood code as the subject. The improvements range in size from 2,122 to 2,992 square feet of living area and range in age from 36 to 40 years. The comparables contain three, three and one-half or four full bathrooms, a partial-finished or unfinished basement, central air-conditioning and a two-car attached garage. Two comparables have a fireplace. The improvement assessments range from \$15.63 to \$18.60 per square foot of living area. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted one new comparable and argued that the property was assessed 18% lower than the subject and further supported a reduction in 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 appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

The Board finds the appellant's comparables two and three and the board of review's comparables one and three to be the most similar properties to the subject in the record. These four properties are similar to the subject in improvement size, amenities, exterior construction, location and age and have improvement assessments ranging from \$10.21 to \$18.60 per square

foot of living area. The subject's per square foot improvement assessment of \$15.09 falls within the range established by these properties. The Board finds the two remaining comparables less similar to the subject in improvement size. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported by the most similar properties contained in the record.

Next, the Property Tax Appeal Board did not consider the new comparable submitted in rebuttal. *Section 1910.66 (c), of the Official Rules of the Property Tax Appeal Board* states in part, "Rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties." 86 Ill. Adm. Code §1910.66(c). Therefore, the Property Tax Appeal Board is precluded from considering the new comparable submitted as rebuttal evidence.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

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: December 23, 2009

Allen Castrovillari

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.