



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

APPELLANT: David Dziagwa  
DOCKET NO.: 07-29487.001-R-1  
PARCEL NO.: 03-23-315-002-0000

The parties of record before the Property Tax Appeal Board are David Dziagwa, the appellant; 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:** \$14,400  
**IMPR.:** \$53,328  
**TOTAL:** \$67,728

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of frame and masonry construction containing 3,163 square feet of living area. The dwelling is 19 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 2.5-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on two comparable properties described as two-story masonry or frame and masonry dwellings that are 21 or 23 years old. The comparable dwellings have 2,919 and 3,089 square feet of living area with either full or partial unfinished basements. Features include central air conditioning, a fireplace and a 2-car or 3-car garage. The comparables have improvement assessments of \$42,300 and \$44,000 or \$13.69 and \$15.07 per square foot of living area. The subject's improvement assessment is \$53,328 or \$16.86 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 of \$67,728 was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting

of two-story frame and masonry dwellings that range in age from 18 to 21 years old. The dwellings range in size from 2,950 to 3,456 square feet of living area with either full or partial unfinished basements. Features include central air conditioning, a fireplace and a 2.5-car or a 3-car garage. These properties have improvement assessments ranging from \$54,073 to \$59,439 or \$16.98 to \$18.33 per square foot of living area. Based on this evidence, 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 parties submitted six comparable properties for the Board's consideration. The Board gave less weight to the appellant's comparable #1 due to its partial basement when compared to the subject's full basement. The Board likewise gave less weight to the board of review's comparables #1 and #4 due to their partial basements when compared to the subject's full basement. The Board finds the remaining three comparables submitted by both parties were most similar to the subject in location, size, style age and features. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$44,000 to \$54,854 or from \$15.07 to \$18.33 per square foot of living area. The subject's improvement assessment of \$53,328 or \$16.86 per square foot of living area is within the range established by the most similar comparables in the record. 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.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that the properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which appears to exist on the basis of the evidence.

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

*J. R.*

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: February 24, 2012

*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.