



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

APPELLANT: Jozef Harmata
DOCKET NO.: 08-28803.001-R-1
PARCEL NO.: 20-10-306-037-0000

The parties of record before the Property Tax Appeal Board are Jozef Harmata, the appellant, by attorney Mitchell L. Klein, of Schiller Klein PC in Chicago; 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: \$5,400
IMPR.: \$35,439
TOTAL: \$40,839

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 3-story class 2-11 multi-family dwelling of masonry construction containing 7,605 square feet of living area. The dwelling is 103 years old. Features of the building include a full unfinished basement and a 4-car garage. The property has a 5,400 square foot site and is located in Chicago, Hyde Park Township, Cook County.

The appellant's appeal is based on assessment equity. The appellant submitted information on three comparable properties described as 3-story class 2-11 multi-family dwellings¹ of masonry construction that range in size from 7,578 to 7,584 square feet of living area. The dwellings range in age from 130 to 131 years. Each comparable has the same neighborhood code as the subject property. One comparable features a full unfinished basement and two are on slab foundations. Two feature central air conditioning and one has a 2-car garage. The comparables have improvement assessments ranging from \$19,317 to \$21,100 or from \$2.54 to \$2.78 per square foot of living area. The subject's improvement assessment is \$35,439 or \$4.66 per square foot of living area. Based on this evidence, the appellant requested a

¹ The appellant contends the subject and the comparables are 2-story buildings but the photographic evidence shows each are 3-story buildings.

reduction in the subject's improvement assessment to \$20,559 or \$2.70 per square foot of living area.

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 improved with 3-story class 2-11 multi-family dwellings of masonry construction that range in size from 7,128 to 7,524 square feet of living area. The dwellings range in age from 96 to 119 years. Each has the same neighborhood code as the subject property. Features of the comparables include full unfinished basements. One has a 2-car garage. These properties have improvement assessments ranging from \$35,739 to \$41,479 or from \$4.75 to \$5.82 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant contends the subject contains 3 apartments but the board of review comparables each contain 6 apartments.

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 assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989); 86 Ill.Admin.Code 1910.63(e). 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 met this burden.

The Board finds the appellant's comparable #1 and all four of the board of review comparables are the most similar to the subject in location, size, style, exterior construction, features and age. 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 \$2.54 to \$5.82 per square foot of living area. The subject's improvement assessment of \$4.66 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement assessment was inequitable and a reduction in the subject's assessment is not justified.

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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Marko M. Louie

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 21, 2013

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.