



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

APPELLANT: John Mysliwicz
DOCKET NO.: 08-29202.001-R-1
PARCEL NO.: 16-01-414-037-0000

The parties of record before the Property Tax Appeal Board are John Mysliwicz, the appellant(s); of Elliott & Associates, P.C. in Des Plaines; and the Cook County Board of Review.

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: \$7,812
IMPR.: \$33,690
TOTAL: \$41,502

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 3,100 square foot parcel of land with an improvement. The appellant, via counsel, argued there was unequal treatment in the assessment process of the improvement as the basis of this appeal.

The appellant first asserts that the county has incorrectly listed the subject's characteristics. The county has listed the subject as containing two improvements: two masonry, three-story, apartment building containing 3,000 square feet of living area each. The appellant asserts the subject contains one masonry, three-story, apartment building containing 3,000 square feet of living area. In support of this, the appellant submitted black and white aerial photographs of the subject showing one large building and one small building on the property purported to be the garage. In addition, the appellant submitted a 2000 appraisal which has a description and diagram of the subject showing the subject contains a masonry, three-story, apartment building with a garage.

In support of the equity argument, the appellant submitted information on a total of eight properties suggested as comparable. The properties are described as two or three-story, masonry, frame or frame and masonry, multi-family dwellings. Features include between two and four baths, air conditioning, between one and three fireplaces, and, for six properties, full unfinished basements. The properties range: in age from 103 to 116 years; in size from 2,904 to 3,150 square feet of living area; and in improvement assessments from \$9.25 to \$12.12 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 \$64,284 was disclosed. The board of review also submitted the property characteristic printouts describing the subject as containing two identical improvements without further explanation.

In support of the subject's assessment, the board of review submitted descriptions and assessment information on three properties suggested as comparable. The properties are described as two or three-story, masonry, multi-family dwellings. Features include three baths and full, unfinished basements. The properties range: in age from 103 to 131 years; in size from 2,486 to 3,300 square feet of living area; and in improvement assessments from \$11.00 to \$14.54 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.

As to the subject's characteristics, the PTAB finds the appellant submitted sufficient evidence to establish that the subject contains one improvement. Therefore, the PTAB finds the subject contains a three-story, masonry, multi-family dwelling containing 3,000 square feet of living area with an improvement assessment of \$21.43 per square foot of living area.

The appellant also 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 PTAB finds the appellant has not met this burden.

The parties presented a total of 11 properties suggested as comparable. The PTAB finds the appellant's comparables #1, #2, #4, #6, #7, and #8 and the board of review's comparable #2 most similar to the subject in size, design, construction, and/or age. The properties range: in age from 103 to 116 years; in size from 2,904 to 3,247 square feet of living area; and in improvement

assessments from \$9.25 to \$14.54 per square foot of living area. In comparison, the subject's improvement assessment of \$21.43 per square foot of living area is above the range of these comparables. Therefore, 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 improvement 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.

Donald 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: 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.