



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

APPELLANT: Mark Sereika
DOCKET NO.: 09-21888.001-R-1
PARCEL NO.: 14-29-411-014-0000

The parties of record before the Property Tax Appeal Board are Mark Sereika, the appellant, by attorney Timothy C. Jacobs, of Gary H. Smith PC in Chicago, 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: \$ 20,625
IMPR.: \$ 50,776
TOTAL: \$ 71,401

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story, multi-family building of frame construction. The building is 121 years old and contains 3,078 square feet of building area. Features include four apartment units, a full basement finished with an apartment, and central air conditioning. The subject is classified as a class 2-11 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Chicago, Lake View Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on seven comparable properties described as multi-family buildings of stucco, frame, masonry, or frame and masonry construction. The buildings have the same assigned classification code as the subject, and six of the comparables have the same assigned neighborhood code. Two of the comparables are located two blocks the subject; four are located one-third or one-half mile from the subject; and another is located one and one-half mile from the subject. The comparable buildings are from 106 to 131 years old, and they contain from 2,792 to 3,456 square feet of building area. One comparable has a full basement finished with an apartment; four comparables have full unfinished basements; one has a slab foundation; and another has crawl-space foundation. One comparable has central air conditioning, and three have two-

car detached garages. The comparables have improvement assessments ranging from \$41,191 to \$58,043 or \$14.75 to \$17.97 per square foot of building area. The subject's improvement assessment is \$57,743 or \$18.76 per square foot of building area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$50,776 or \$16.50 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$78,368 was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story, multi-family buildings of frame construction. The comparables have the same assigned neighborhood and classification codes as the subject, and one of the comparables is located one-quarter mile from the subject. The buildings are from 118 to 131 years old and contain from 2,496 to 2,689 square feet of building area. Each comparable has two or four apartment units and an unfinished basement, either full or partial. One building has central air conditioning, and two comparables have one-car garages. These properties have improvement assessments ranging from \$46,876 to \$55,683 or \$18.78 to \$22.06 per square foot of building 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 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 met this burden.

Both parties presented assessment data on a total of 11 equity comparables. The board of review's comparables had less building area than the subject and received reduced weight in the Board's analysis. The appellant's comparables #2 and #4 differed from the subject in foundation, and comparables #1 and #3 had significantly more building area than the subject. As a result, these comparables also received reduced weight. The Board finds the appellant's comparable #7 was most similar to the subject in building area and was very similar in age, location, and foundation. Additionally, the appellant's comparables #5 and #6 were generally similar to the subject in size, age, foundation, and location. Due to their similarities to the subject, these three comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$41,191 to \$56,693 or \$14.75 to \$17.28 per square foot of building area. The subject's improvement assessment of

\$57,743 or \$18.76 per square foot of building area falls above the range established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's 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 M. Louie

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: May 18, 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.