



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

APPELLANT: John Mikrut  
DOCKET NO.: 10-32016.001-R-1  
PARCEL NO.: 17-20-309-036-0000

The parties of record before the Property Tax Appeal Board are John Mikrut, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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:** \$7,440  
**IMPR.:** \$38,032  
**TOTAL:** \$45,472

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2010 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of two improvements situated on one parcel. Dwelling #1 is a three-story multi-family dwelling

of masonry construction. Dwelling #1 is approximately 146 years old and has 4,236<sup>1</sup> square feet of living area. Features include three apartment units and a full unfinished basement. Dwelling #2 is a two-story multi-family dwelling of masonry construction. Dwelling #2 is approximately 146 years old and has 1,052 square feet of living area and a full unfinished basement. The property has a 3,100 square foot site and is located in Chicago, West Chicago Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables for dwelling #1. The appellant did not present any information regarding dwelling #2, but used its assessment amount in the analysis.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$45,472. Dwelling #1 has an improvement assessment of \$24,252 or \$5.73 per square foot of living area. Dwelling #2 has an improvement assessment of \$13,780 or \$13.10 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables for dwelling #1. The board of review did not submit any equity comparables for dwelling #2.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

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<sup>1</sup> The appellant contends dwelling #1 contains only 4,032 square feet of living area. However, he submitted no evidence in support of this contention. The board of review submitted a parcel data information sheet indicating the subject has 4,236 square feet of living area. Based on this record, the Property Tax Appeal Board finds that dwelling #1 of the subject property contains 4,236 square feet of living area.

The parties to the appeal submitted a total of seven comparable properties into the record for dwelling #1. These properties were masonry constructed multi-family dwellings ranging in size from 3,402 to 5,400 square feet of living area and ranging in age from 103 to 124 years old. The comparables had improvement assessments that ranged from \$4.71 to \$6.95 per square foot of living area. Dwelling #1 has an improvement assessment of \$5.73 per square foot of living area which is within the range established by the comparables in this record. The Board finds the appellant failed to present any evidence to dispute the assessment for dwelling #2.

Based on the evidence in this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvements were inequitably assessed 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.

*Ronald R. Crit*

Chairman

*K. L. Fan*

Member

*Richard A. Huff*

Member

*Mario M. Lino*

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: June 20, 2014

*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.