



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

APPELLANT: Walter Saranecki
DOCKET NO.: 10-31091.001-R-1 through 10-31091.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Walter Saranecki, the appellant, by attorney Arnold G. Siegel of Siegel & Callahan, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-31091.001-R-1	13-17-311-026-0000	8,750	21,735	\$30,485
10-31091.002-R-1	13-17-311-027-0000	4,375	9,293	\$13,668
10-31091.003-R-1	13-17-311-028-0000	4,375	21,472	\$25,847

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 is improved with a part one-story and part two-story mixed use building used as a banquet hall with apartments above and an adjacent part one-story and part two-story masonry constructed mixed use building utilized as a

retail store with apartments above. The improvements contain a total gross building area of 15,532 square feet and were built between 1927 and 1932. Features include a partial unfinished basement, two two-bedroom apartments, two one-bedroom apartments, one studio unit and one three-bedroom apartment. The banquet facility has central air conditioning while none of the apartments has central air conditioning. The subject property also has a small loading door at the rear of the building and a small garage. The improvements are located on three contiguous parcels with 12,500 square feet of land area in Irving Park, Jefferson Township, Cook County. The property is classified as a class 2-12 mixed use commercial/residential building with apartments under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$700,000 as of January 1, 2009. The appraisal was prepared by Leslie Kruse, Certified General Real Estate Appraiser. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value using 5 comparable sales that sold from March 2006 to March 2009 for prices ranging from \$193,000 to \$2,275,000 or from \$11.70 to \$61.18 per square foot of building area, including land. The appraiser estimated the subject had an indicated value of \$45.00 per square foot of building area, including land.

The appellant also submitted a copy of the final decision issued by the board of review establishing a total assessment of \$96,348. The subject's assessment reflects a market value of \$963,480 when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 2-12 property of 10%. The appellant requested the subject's assessment be reduced to \$64,470.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist

of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

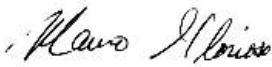
The Board finds the only evidence of market value in this record to be the appraisal submitted by the appellant estimating the subject property had a market value of \$700,000 as of January 1, 2009. The subject's assessment reflects a market value of \$963,480, which is above the appraised value presented by the appellant. The board of review did not submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board has examined the information submitted by the appellant and finds the appraisal supports a reduction in the assessed valuation of the subject property with the best sale in the report to be comparable #1 that sold most proximate in time to the assessment date for a unit price of \$54.65 per square foot of building area, including land.

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.

Chairman



Member



Member

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: April 24, 2015



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.