



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

APPELLANT: Mark Weglarz
DOCKET NO.: 11-29434.001-R-2
PARCEL NO.: 14-33-108-042-0000

The parties of record before the Property Tax Appeal Board are Mark Weglarz, the appellant, by attorney Jason T. Shilson, of O'Keefe Lyons & Hynes, LLC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$29,512
IMPR.: \$189,728
TOTAL: \$219,240

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 2011 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 a three-story masonry dwelling with 5,481 square feet of living area. The dwelling is 4 years old. Features of the home include a full finished basement, central air conditioning, 3 fireplaces and a two and one-half car garage. The property has a 3,935 square foot site and is located in Chicago, North Chicago Township, Cook County. The subject is classified as a class 2-09 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and assessment inequity as the bases of the appeal. The appellant did not contest the subject's land assessment. In support of this argument the appellant submitted information on five comparable sales and 19 equity comparables. The appellant also argued that the subject's size was incorrectly reported by the board of review.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$283,749. The subject's assessment reflects a market value of \$2,837,490 or \$517.70 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables.

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.

As an initial matter regarding the subject's size, the Board finds for this appeal the subject has 5,481 square feet of living area. The appellant submitted a Plat Of Survey which purports the subject has 5,481 square feet of living area. The board of review did not rebut this argument and supplied no contradictory evidence.

The Board finds the best evidence of market value to be appellant's comparable sales # 2, #4 and #5. These comparables had varying degrees of similarity to the subject and also sold most proximate in time to the January 1, 2011 assessment date. The Board gave less weight to the appellant's comparable #1 due to its inferior slab foundation and comparable #3 due to its sale occurring greater than 32 months prior to the assessment date at issue. The best comparables sold for prices ranging from \$234.88 to \$392.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$517.70 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment is justified.

As to the appellant's inequity argument, the Board finds the parties submitted 23 comparables for the Board's consideration. The comparables had varying degrees of similarity when compared to the subject. The comparables had improvement assessments ranging from \$14.53 to \$78.53. After the reduction due to overvaluation, the subject's improvement assessment is \$34.62 per square foot of living area, which is within the range of the equity comparables in this record. Based on this evidence the Board finds a further reduction due to inequity is not 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.



Chairman



Member



Member



Acting Member

DISSENTING: _____

CERTIFICATION

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: November 23, 2016



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.