



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

APPELLANT: David Presbitero
DOCKET NO.: 12-25949.001-I-1 through 12-25949.002-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are David Presbitero, the appellant(s), by attorney John P. Fitzgerald, of Fitzgerald Law Group, P.C. 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
12-25949.001-I-1	24-24-304-047-0000	13,574	93,946	\$107,520
12-25949.002-I-1	24-24-304-048-0000	9,696	10,659	\$20,355

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 2012 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 parcels of land improved with a 49-year old building. The property is located in Worth Township, Cook County and is a class 5-93 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on a contention of law and overvaluation. In support of this argument the appellant submitted a brief asserting the subject is incorrectly classified as because the subject is a two-story building with industrial use on the first floor and two residential apartment buildings on the second floor. The appellant request the subject classification be changed to a class 2 property which requires an assessment of 10% of the subject's market value. The appellant failed to submit any evidence to support this argument.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$153,348. The subject's assessment reflects a market value of \$613,392 using the Cook County Ordinance level of assessment for class 5 property of 25%.

In support of the assessment, the board of review submitted a portion of the property characteristic printout for one of the parcels under appeal.

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 failed to submit any evidence and is unable to prove by a preponderance of the evidence that the subject is incorrectly classified, should be assessed at 10% of the subject's market value, or that the market value is incorrect. Therefore, the Board finds the appellant failed to meet the required burden of proof and no reduction is 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.



Chairman



Member

Member



Member

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: May 20, 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.