



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

APPELLANT: Frank Rosiensi
DOCKET NO.: 12-31346.001-R-1 through 12-31346.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Frank Rosiensi, the appellant, by Edward P. Larkin of Edward P. Larkin, Attorney at Law, in Des Plaines; 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
12-31346.001-R-1	13-26-223-002-0000	4,290	26,951	\$31,241
12-31346.002-R-1	13-26-223-003-0000	4,950	26,990	\$31,940

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 matter of this appeal consists of two individual apartment buildings situated on two separate parcels. Parcel 13-26-223-002-0000 is improved with a two-story, three-unit building of masonry construction that was built in 1914. The dwelling contains 3,975 square feet of living area and features a partial unfinished basement and a one-car garage. Parcel 13-26-223-003-0000 is improved with a two-story, four-unit building of masonry construction that was built in 1901. The dwelling contains 3,975 square feet of living area and features a partial unfinished

basement. Each improvement is classified as a Class 2-12 property under the Cook County Real Property Assessment Classification Ordinance. The subject properties are located in Jefferson Township, Cook County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In support of the inequity claim, the appellant submitted limited assessment information for three comparables located along the subject's street. The comparables had improvement assessments ranging from \$31,917 to \$50,261 or from \$5.78 to \$6.79 per square foot of building area. The subject properties have improvement assessments of \$30,225 and \$30,270 or \$7.60 and \$7.61 per square foot of building area, respectively. Based on this evidence, the appellant requested a reduction in each of the subject property's improvement assessments.

The board of review did not submit its "Board of Review Notes on Appeal" or 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. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a).

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted assessment information for three comparables for the Board's consideration. The comparables had improvement assessments ranging from \$31,917 to \$50,261 or from \$5.78 to \$6.79 per square foot of building area. The subject properties have improvement assessments of \$30,225 and \$30,270 or \$7.60 and \$7.61 per square foot of building area, respectively, which falls above the range established by the only assessment comparables contained in this record on a per square foot basis. The board of review did not submit any evidence in support of the correct assessment of the subject property or to refute the evidence submitted by the appellant. 86 Ill.Admin.Code §1910.40(a). Therefore, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the

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Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a). Based on the evidence contained in this record, the Board finds a reduction in each of the subject property's improvement assessments are 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



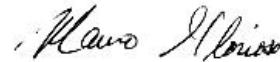
Member



Member



Member



Member



Acting 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: March 18, 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.