



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

APPELLANT: James Sumaski
DOCKET NO.: 13-24813.001-R-1
PARCEL NO.: 14-29-115-014-0000

The parties of record before the Property Tax Appeal Board are James Sumaski, the appellant(s), by attorney Edward P. Larkin, Attorney at Law in Des Plaines; 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:

LAND: \$ 14,875
IMPR.: \$ 86,079
TOTAL: \$100,954

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 2013 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 two-story dwelling of masonry construction with 2,458 square feet of living area. The dwelling is five years old. Features of the home include a full basement, central air conditioning, two fireplaces and a two-car garage. The property has a 2,975 square foot site and is located in Lake View Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends a contention of law as the basis of the appeal. The appellant argued that the subject's assessment should be reduced because the board of review reduced the subject's 2014 assessment. The Hoyne Savings & Loan Assoc. v. Hare, 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974); 400 Condominium Assoc. v. Tully, 79 Ill.App.3d 686, 690, 398 N.E.2d 951, 954 (1st Dist. 1979) courts found, "a substantial reduction in the subsequent year's assessment is indicative of the validity of the prior year's assessment." The appellant's evidence indicates the

subject's 2014 assessment was reduced by the board of review from \$95,891 to \$86,329. The appellant argued that pursuant to Hoyne, the subject's 2013 assessment should be reduced to \$86,329. 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974).

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$95,891. The subject property has an improvement assessment of \$81,016 or \$32.96 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables.

Conclusion of Law

The appellant's contention of law is based on Hoyne Savings & Loan Assoc. v. Hare, 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974); 400 Condominium Assoc. v. Tully, 79 Ill.App.3d 686, 690, 398 N.E.2d 951, 954 (1st Dist. 1979) which held a, "substantial reduction in the subsequent year's assessment is indicative of the validity of the prior year's assessment". The Board finds the record includes evidence of a 2014 assessment reduction for the subject property. This year is within the 2013 triennial assessment cycle that is the subject of this appeal. However, the Board finds that the evidence indicates that the 2014 assessment was reduced from \$95,891 to \$84,875. The Board finds this reduction is not a "substantial reduction" as required by Hoyne. Id. Therefore, the Board finds that a reduction in the subject's assessment on this basis 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



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: August 18, 2017



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.