



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

APPELLANT: Jan Szulakiewicz  
DOCKET NO.: 13-27548.001-R-1  
PARCEL NO.: 03-15-301-009-0000

The parties of record before the Property Tax Appeal Board are Jan Szulakiewicz, the appellant(s), by attorney Christopher G. Walsh, Jr., Attorney at Law 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:

**LAND:** \$11,115  
**IMPR.:** \$23,548  
**TOTAL:** \$34,663

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 one-story, single-family dwelling of masonry construction with 2,414 square feet of living area. Features of the dwelling include two and one-half baths, a full unfinished basement, and a two car garage. The dwelling was constructed in 1956 and is located in Prospect Heights, Wheeling Township, Cook County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted evidence showing that the subject sold on December 20, 2010 for \$165,000. This evidence included an affidavit by the appellant attesting that he purchased the subject property in December 2010, that a realtor was involved, and that he paid fair market value. The appellant's pleadings regarding Section IV- Recent Sale Data confirmed the closing date, sale price, a realtor was involved, the transaction was a short sale, and that the parties to the transaction were not related. Lastly, appellant requested that the Board apply the 10% level of assessment as

determined by the Cook County Classification Code. Based on this evidence, the appellant requested a reduction in the subject's assessment.

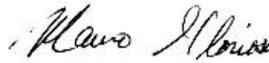
The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$34,663. The subject's assessment reflects a market value of \$346,630 when applying a 10% level of assessment as determined by the Cook County Classification Code. In support of the assessment, the board of review submitted a grid listing three sales 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds that the appellant did not submit sufficient evidence to show that the subject was overvalued. The appellant's attorney failed to submit evidence supporting the sale of the subject in December 2010. Appellant's pleadings did not include any evidence such as a settlement statement, real estate contract or deed supporting the arm's length nature of the transaction. The appellant's affidavit does not suffice as evidence supporting subject's sale. The affidavit does not include critical sale information such as the exact date or terms of sale, parties, and monies exchanged etc. Without sufficient evidence supporting the 2010 sale, Board cannot determine and/or evaluate the final terms of the sale and conclude if the subject's sale was an arm's length transaction. Therefore, the Board finds that the appellant did not meet the burden of proof and reduction in the subject's assessment 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



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: March 24, 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.