



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

APPELLANT: Theodore Lachwicz  
DOCKET NO.: 15-22858.001 -R-1  
PARCEL NO.: 28-05-404-008-0000

The parties of record before the Property Tax Appeal Board are Theodore Lachwicz, the appellant, by attorney John S. Xydakis, of the Law Offices of John S. Xydakis 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:** \$3,664  
**IMPR.:** \$16,751  
**TOTAL:** \$20,415

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 2015 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 frame construction. The dwelling is approximately 22 years old and has 2,010 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has a 29,315-square foot site and is located in Midlothian, Bremen 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 assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables with the same neighborhood and classification codes as the subject. The comparables are improved with two-story dwellings of frame and masonry construction. The dwellings are either 33 or 34 years old and contain either 2,392 or 2,444 square feet of living area. Two comparables have basements, and two dwellings have central air conditioning. Information regarding garages was not

provided on the appellant's grid analysis. The comparables have improvement assessments ranging from \$17,976 to \$18,748 or from \$7.45 to \$7.67 per square foot of living area. The appellant also submitted a map showing the location of the subject property and the comparable properties. The map revealed that the appellant's comparables were located near the subject property. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$15,115 or \$7.52 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$20,415 was disclosed. The subject property has an improvement assessment of \$16,751 or \$8.33 per square foot of living area. The board of review presented descriptions and assessment information on four comparable properties with the same classification code as the subject. Comparable #1 was the only property to have the same assigned neighborhood code as the subject, and it was described as being located one-quarter mile from the subject property. The comparables are improved with two-story dwellings of frame and masonry construction. The dwellings are from 10 to 28 years old and contain from 2,076 to 2,454 square feet of living area. Each comparable has an unfinished basement, either full or partial, a fireplace, and a two-car garage. Three comparables have central air conditioning. These properties have improvement assessments ranging from \$19,633 to \$23,622 or from \$9.46 to \$10.46 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties presented assessment data on a total of seven suggested comparables. The Board finds the board of review comparables #2 through #4 had different assigned neighborhood codes than the subject and were located in a different municipality. As a result, these comparables received reduced weight in the Board's analysis. The appellant's comparable #2 differed from the subject in foundation and also received reduced weight. The Board finds the best evidence of assessment equity to be board of review comparable #1. This comparable was very similar to the subject in location, story height, age, living area and foundation. As further support, the Board finds the appellant's comparables #1 and #3, despite being older than the subject, were also very similar to the subject in location, story height, living area and foundation. The Board finds these three comparables had improvement assessments that ranged from \$7.45 to \$9.56 per square foot of living area. The subject's improvement assessment of \$8.33 per square foot of living area falls within the range established by the best comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

*Mario Alvares*

Chairman

*K. L. Fan*

Member

*JR*

Member

*Robert Hoffmann*

Member

*Dane DeKinis*

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: July 17, 2018

*Steve M. Wegman*

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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

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PARTIES OF RECORD

AGENCY

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