



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

APPELLANT: Rich Bondarowicz
DOCKET NO.: 15-26841.001-R-1 through 15-26841.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Rich Bondarowicz, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-26841.001-R-1	03-32-408-001-0000	5,047	21,552	\$26,599
15-26841.002-R-1	03-32-408-002-0000	3,016	21,552	\$24,568

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 two parcels improved with a three-story, multi-family dwelling of masonry construction. The dwelling is approximately 43 years old and has 8,402 square feet of living area. Features of the dwelling include six apartment units, a full unfinished basement, central air conditioning and a four-car garage. The property has a 10,626-square foot site and is located in Arlington Heights, Wheeling Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal report dated August 15, 2013, estimating the subject property had a market value of \$380,000 as of January 1, 2013. The appraiser developed the sales comparison approach and the income approach and used both approaches for estimating the

market value of the subject property. Using the income approach, the appraiser estimated the subject property had a market value of \$370,000 as of January 1, 2013. Under the sales comparison approach, the appraiser considered six comparable properties that sold from February 2011 to August 2012 for prices that ranged from \$270,000 to \$407,000 or from \$44.44 to \$69.64 per square foot of living area, land included, or from \$45,000 to \$67,833 per apartment unit. The comparables were located in Arlington Heights or Mount Prospect and have sites that ranged from 2,714 to 692,937 square feet of land area. The comparable properties are improved with three-story, multi-family dwellings of masonry construction. Each dwelling has six apartment units. The dwellings were constructed from 1973 to 1983 and range in size from 4,667 to 6,567 square feet of living area. After identifying differences between the comparable properties and the subject, the appraiser determined that the subject property had a market value of \$390,000 or \$65,000 per apartment unit as of January 1, 2013. Based upon the appraisal, the appellant requested that the subject's total assessment be reduced to \$38,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the 2015 total assessment for one of the subject's two parcels. The appellant submitted the final decision of the Cook County Board of Review, dated February 24, 2016, disclosing the total assessment of \$51,167 for both of the subject's parcels. The subject's combined assessment reflects a market value of \$511,670 or \$60.90 per square foot of living area, land included, when applying the 10% level of assessment for class 2 residential properties under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that sold from July 2012 to September 2013 for prices that ranged from \$210,000 to \$650,000 or from \$67.48 to \$172.97 per square foot of living area, land included. The comparable sales have the same assigned neighborhood and classification codes as the subject. The comparables have sites that range from 9,737 to 19,602 square feet of land area. The comparables are improved with two-story, multi-family dwellings of frame or masonry construction. The dwellings are from 38 to 125 years old and contain from 2,168 to 4,997 square feet of living area. The board of review did not provide information on the number of apartment units; however, the comparables have either two or four full bathrooms. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney noted the same appraisal report had been submitted for prior year appeals regarding the subject's 2013 and 2014 assessments. Counsel requested the same reduction be applied to the 2015 tax year, since it was in the same tax triennial as 2013 and 2014.

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 considered the August 2013 appraisal submitted by the appellant and three comparable sales submitted by the board of review. The Board gave less weight to the appellant's appraisal due to the fact the appraisal had an effective date of January 1, 2013. The Board considers the appraisal report to be dated. The appraiser analyzed comparable sales that occurred in 2011 and 2012 and income data from 2012 to arrive at an estimated market value. The Board finds this information is now no longer current for an appeal with an assessment date of January 1, 2015. As a result, the Board will instead examine the raw sales used in the appraisal and the comparable sales submitted by the board of review.

The Board considered the six comparable sales from the appraisal report and the three comparable sales submitted by the board of review. The Board gave less weight to the appraiser's comparable sales and board of review comparable #3 due to their dated sales. These properties had sale dates from February 2011 to August 2012 that were not proximate in time to the January 1, 2015 assessment date. The Board also gave less weight to board of review comparable #1. The Board finds this property was much older than the subject and lacked central air conditioning. The Board finds the best evidence of market value in the record to be board of review comparable sale #2. This comparable was located in the same block as the subject and was also very similar in age, exterior construction, foundation, and central air conditioning. Moreover, this sale sold most proximate in time to the January 1, 2015 assessment date. Board of review comparable #2 sold in September 2013 for a price of \$650,000 or for \$130.08 per square foot of living area, land included, or for \$162,500 per apartment unit. The subject's assessment of \$51,167 reflects a market value of \$511,670 or \$60.90 per square foot of living area, land included, or \$85,278 per apartment unit, which is supported by the best comparable sale in the record. Based on this evidence, the Board finds a 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. 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.



Chairman



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: June 19, 2018



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.

PARTIES OF RECORD

AGENCY

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