



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

APPELLANT: Larisa Bandura
DOCKET NO.: 15-32531.001-R-1
PARCEL NO.: 17-06-318-046-0000

The parties of record before the Property Tax Appeal Board are Larisa Bandura, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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: \$13,500
IMPR.: \$61,571
TOTAL: \$75,071

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 1.5-story dwelling of masonry exterior construction with 2,443 square feet of living area. The dwelling is approximately 69 years old and has a full unfinished basement. The property has a 2,443 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-04 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellant submitted information on five equity comparables, two of which are located within the same neighborhood code as the subject property. The comparables were improved with "1.5-1.9-story"¹ dwellings of frame or masonry exterior construction that ranged in size from 2,178 to 2,412 square feet of living area.

¹ The appellant describes the subject and comparables as "1.5-1.9-story" dwellings.

The dwellings range in age from 112 to 137 years old. Four comparables have partial or full basements, three of which have finished areas. Other features had varying degrees of similarity when compared to the subject. The comparables had improvement assessments that ranged from \$40,755 to \$53,992 or from \$18.71 to \$22.38 per square foot of living area. Based on this evidence, the appellant requested that the improvement assessment be reduced to \$50,325 or \$20.60 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$75,071. The subject property has an improvement assessment of \$61,571 or \$25.20 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables located within the same neighborhood code and .25 of a mile from the subject property. The comparables were improved with 1.5-story dwellings of masonry exterior construction with a dwelling size of 1,831 to 2,126 square feet of living area. The dwellings range in age from 83 to 127 years old and have full basements, two of which have finished areas. Other features had varying degrees of similarity when compared to the subject. The comparables had improvement assessments ranging from \$53,702 to \$57,778 or from \$25.26 to \$30.93 per square foot of living area. Based on this evidence, the board of review requested that the assessment be confirmed.

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 submitted nine suggested comparables for the Board's consideration, none of which were truly similar to the subject due to their considerably older ages. The Board finds the best comparables to be the appellant's comparable #5 along with the board of review comparables #1 and #3. These comparables received greater weight because they are located within the subject's same neighborhood code and are most similar to the subject in design, exterior construction, dwelling size, foundation and features. These comparables have improvement assessments ranging from \$53,992 to \$57,778 or from \$22.38 to \$27.67 per square foot of living area. The subject's improvement assessment of \$61,571 or \$25.20 per square foot of living area is within the range established by the best comparables contained in this record on a per-square-foot basis. The subject's improvement assessment is above the range of these comparables which is justified considering its considerably newer age and larger dwelling size. Both parties remaining comparables received less weight due to their different neighborhood codes, smaller dwelling size or lack of a basement. After considering adjustments and differences in the comparables, 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.



Chairman



Member



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: _____

May 15, 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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