



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

APPELLANT: Miroslaw Owczarek
DOCKET NO.: 16-44036.001-R-1
PARCEL NO.: 13-33-312-025-0000

The parties of record before the Property Tax Appeal Board are Miroslaw Owczarek, the appellant(s), by attorney Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$3,750
IMPR.: \$17,314
TOTAL: \$21,064

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 2016 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 90 year old, two-story, multi-family building masonry construction with 2,234 square feet of living area. Features of the building include a full finished basement, two baths, and a two-car garage. The property has a 3,750 square foot site and is located in Chicago, Jefferson Township, Cook County. The record does not disclose whether the subject was owner-occupied during the lien year. 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 information on eight suggested sale comparables and a grid entitled "Property Equalization Values" disclosing adjustments to the property values of those comparable properties. The appellant also submitted the Board's prior decision for the subject property. Lastly, the appellant stated in Section IV-Recent Sale Data of the appeal form that the

subject sold in September 2014 for \$95,102, the transfer was not between related parties, and that the property was advertised for sale on the MLS with a relator. No evidence was submitted in support of the 2014 sale. The appellant requested a total assessment reduction to \$12,076.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$21,064. The subject's assessment reflects a market value of \$210,640 or \$94.29 per square foot of living area including land, when applying the 2016 level of assessment of 10.00% for Class 2 property 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 four suggested sale comparables.

Conclusion of Law

The Board finds the appellant failed to establish the admissibility of and to lay a foundation for the adjustments in the equalization values grid. Therefore, the Board gives them no weight. However, the Board may consider the raw, unadjusted sale data.

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 gives little weight to the subject's sale due to lack of information regarding the arm's length nature of the sale. No evidence such as a settlement statement, listing printout, and/or deed were submitted into evidence to support the 2014 sale. Therefore, the Board finds the subject's assessment is not reflective of market value and reduction in the subject's assessment is not justified based on the 2014 sale.

The Board finds the best evidence of market value to be the appellant's comparables and the board of review's comparables. These comparables are similar in location, amenities, size, stories, and age. These comparables sold for prices ranging from \$37.91 to \$115.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$94.29 per square foot of living area including land, which is within the range established by the best comparable sales in this record. Based on this evidence, the Board finds 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: July 21, 2020



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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