



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

APPELLANT: Stanley Malec
DOCKET NO.: 17-32679.001-R-1
PARCEL NO.: 18-26-106-039-0000

The parties of record before the Property Tax Appeal Board are Stanley Malec, the appellant, by attorney George N. Reveliotis of Reveliotis Law, P.C. in Park Ridge; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **a reduction** 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: \$3,948
IMPR.: \$16,310
TOTAL: \$20,258

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 2017 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 multi-level dwelling of frame and masonry exterior construction with 1,432 square feet of living area. The dwelling is approximately 23 years old. Features of the home include a partial basement with finished area, one fireplace and a 2-car garage. The property has an 8,775 square foot site and is located in Justice, Lyons Township, Cook County. The subject is classified as a class 2-34 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 seven equity comparables located from .04 to .18 of a mile from the subject and within the subject's neighborhood code. The comparables area improved with multi-level dwellings of masonry, frame or frame and masonry exterior construction ranging in size from 1,158 to 1,660 square feet of living area. The dwellings range

in age from 22 to 47 years old. Each comparable features a partial basement with finished area. Five comparables each have one fireplace and a six comparables each have a 2-car or a 2.5-car garage. The comparables have improvement assessments that range from \$11,916 to \$16,459 or from \$9.07 to \$12.41 per square foot of living area. The appellant submitted a copy of the final decision of the board of review disclosing the property has a total assessment of \$22,764 and the submission revealed the subject has an improvement assessment of \$18,816 or \$13.14 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$14,991 or \$10.47 per square foot of living area.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property. By letter dated September 11, 2019, the Board denied the board of review's motion to vacate the default order.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of assessment equity to be the appellant's comparables. The Board gave less weight to the comparables #1, #4, #5 and #6 which differ from the subject in dwelling size and/or age. Furthermore, comparable #6 lacks a garage, unlike the subject. The Board finds the three remaining comparables are relatively similar to the subject in location, dwelling size, design and features, though comparables #3 and #7 have older dwellings than the subject dwelling. These comparables have improvement assessments that range from \$12,378 to \$16,459 or from \$9.07 to \$11.39 per square foot of living area. Most weight was given to comparable #2 as it is most similar in age and dwelling size when compared to the subject. This comparable has an improvement assessment of \$16,459 or \$11.39 per square foot of living area. The subject's improvement assessment of \$18,816 or \$13.14 per square foot of living area falls above the range established by the best comparables in this record. The board of review did not submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The board of review's effort to have the default vacated was denied by the Property Tax Appeal Board. The Board has examined the evidence submitted by the appellant and finds that a reduction in the assessed valuation of the subject property is 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



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 16, 2021



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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