



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

APPELLANT: Malgorzata Garus
DOCKET NO.: 17-34268.001-R-1
PARCEL NO.: 15-28-314-029-0000

The parties of record before the Property Tax Appeal Board are Malgorzata Garus, the appellant(s); 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: \$4,550
IMPR.: \$23,805
TOTAL: \$28,355

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 is a 58 year-old, one-story dwelling of frame and masonry construction containing 1,587 square feet of living area. Features of the subject include a full finished basement, central air conditioning, two fireplaces and a two-car garage. The property has a 7,000 square foot site located in La Grange Park, Proviso Township, Cook County. It is a Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity and overvaluation as the bases of the appeal. The appellant attached property characteristics information sheets to her Petition for eleven suggested comparable properties. Some of these comparable properties included only assessment and dwelling characteristics information; others included only sale data and dwelling characteristics

information. Four of these eleven properties are cited by the appellant in her Assessment Grid Analysis.

In support of the assessment inequity argument, the appellant submitted information on five suggested equity comparable properties. These properties ranged from 900 to 1,682 square feet of living area, or from \$1.69 to \$14.12 per square foot.

In support of the overvaluation argument, the appellant submitted an appraisal estimating the subject property had a market value of \$212,000 as of September 10, 2013; and a settlement statement disclosing the subject property was purchased on October 3, 2013 for \$212,000. The subject's sale price reflects a market value of \$133.59 per square foot of living area including land. The appellant provided information in Section IV—Recent Sale Data of the Residential Appeal that the subject was not transferred between related parties; and was sold by a realtor who advertised the property on the Multiple Listing Service. The appellant failed to disclose the how the property sale was settled. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price when applying the 2017 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. The appellant also submitted information on eight suggested comparable sales. These properties sold from 2016 through 2017 and ranged from 1,087 to 1,521 square feet of living area including land, or from \$130.18 to \$195.51 per square foot.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,355. The subject property has an improvement assessment of \$23,805, or \$15.00 per square foot of living area. The subject's assessment reflects a market value of \$283,550, or \$178.67 per square foot of living area including land, when applying the 2017 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 eight suggested equity comparable properties and on four suggested sale comparable properties. The equity properties ranged from 1,429 to 1,682 square feet of living area, or from \$16.43 to \$42.54 per square feet. The sale properties sold in 2016 and ranged from 1,429 to 1,682 square feet of living area, or from \$231.60 to \$424.18 per square foot.

At hearing, the appellant stood on the documentary evidence she previously submitted and reiterated her request for an assessment reduction.

Conclusion of Law

The appellant 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 Board finds the best evidence of assessment equity to be the appellant's comparable(s) #1 and #3, and the board of review's comparable(s) #1, #2, #3 and #4. These comparables had improvement assessments that ranged from \$3.71 to \$17.96 per square foot of living area. The subject's improvement assessment of \$15.00 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 holds that a reduction in the subject's assessment based on assessment inequity is not justified.

The appellant also 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 appraisal, with an effective date of September 2013, and the October 2013 sale of the subject were too remote in time to be reliable evidence of market value as of the 2017 lien year. Consequently, the Board finds accords limited weight to this evidence in support of an overvaluation argument and finds the subject does not warrant an assessment reduction based on this evidence.

As for the appellant's sales market argument of overvaluation, the Board finds the best evidence of market value to be the appellant's comparable sale(s) #1 and #2, and the board of review comparable sale(s) #1 and #3. These comparables sold for prices ranging from \$130.18 to \$424.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$178.67 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 based on overvaluation 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: December 23, 2019



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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