



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

APPELLANT: David Wencel
DOCKET NO.: 17-42613.001-R-1
PARCEL NO.: 19-01-319-027-0000

The parties of record before the Property Tax Appeal Board are David Wencel, 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 **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: \$2,812
IMPR.: \$9,506
TOTAL: \$12,318

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 two-story dwelling of frame exterior construction with 1,400 square feet of living area. The dwelling is approximately 98 years old. The home features a concrete slab foundation. The property has a 3,125 square foot site and is located in Chicago, Lake 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.¹ In support of this argument, the appellant submitted information on four comparable sales with the same neighborhood code as the subject property. The comparables have sites with 3,125 or 3,402 square feet of land area.

¹ Although the appellant also marked assessment equity as the basis of the appeal, no equity comparables were provided. The comparable sales provided by the appellant had assessments not reflective of each property's market value when comparing the assessments to their respective sales prices.

The comparables are similar class 2-11 properties improved with dwellings of frame or masonry exterior construction ranging in size from 1,872 to 3,610 square feet of living area. The dwellings range in age from 91 to 107 years old. One comparable has a concrete slab foundation and three comparables each have a full or partial basement with two having finished area. Three comparables each have a two-car garage. The comparables sold from September 2015 to June 2017 for prices ranging from \$115,500 to \$193,000 or from \$53.46 to \$73.23 per square foot of living area, including land. Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$8,547, reflecting a market value of \$85,470 or \$61.05 per square foot of living area, land included, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$12,318. The subject's assessment reflects a market value of \$123,180 or \$87.99 per square foot of living area, including land, when applying the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10%.

In support of its contention of the correct assessment the board of review submitted information on eight comparable properties, seven are located within the subject's neighborhood code, four are within the same block as the subject and three are in the subject's subarea.² The comparables have sites that range in size from 3,075 to 3,750 square feet of land area. The comparables are similar class 2-11 properties improved with two-story dwellings of frame or masonry exterior construction ranging in size from 1,344 to 1,722 square feet of living area. The dwellings range in age from 90 to 104 years old. Four comparables each have a basement with one having finished area and four comparables have either a crawl space or concrete slab foundation. One comparable has central air conditioning and five comparables each have a 1.5-car or a 2-car garage. Comparables #5 through #8 sold from February to June 2015 for prices ranging from \$150,100 to \$205,000 or from \$94.66 to \$122.02 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 parties submitted a total of eight comparable sales for the Board's consideration. The Board finds none of these comparables are truly similar to the subject due to differences in location, dwelling size and/or features. Nevertheless, the Board gives less weight to appellant's comparables #1, #2 and #3, along with board of review comparables #5 and #8 as each has a larger dwelling with a basement when compared to the subject dwelling which has a concrete slab foundation. The Board finds the best evidence of market value to be the appellant's

² Board of review second set of four comparables were renumbered as comparables #5 through #8.

comparable #4 and board of review comparables #6 and #7. These comparables have varying degrees of similarity when compared to the subject. Each comparable has a garage which is superior to the subject and comparable #7 has central air conditioning, suggesting downward adjustments would be required to the comparables for these features to make them more equivalent to the subject. The properties sold from May to September 2015 for prices ranging from \$116,000 to \$163,000 or from \$61.97 to \$104.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$123,180 or \$87.99 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not justified based on overvaluation.

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:

April 20, 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

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