



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

APPELLANT: Edward Kuczmariski
DOCKET NO.: 18-21221.001-R-1
PARCEL NO.: 11-18-417-009-0000

The parties of record before the Property Tax Appeal Board are Edward Kuczmariski, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, LLC 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: \$19,150
IMPR.: \$67,577
TOTAL: \$86,727

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 2018 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 improved with a two-story dwelling of frame construction with 4,357 square feet of living area. The dwelling is approximately 119 years old. Features of the property include a full unfinished basement, two fireplaces and a detached two-car garage. The property has a 12,767 square foot site and is located in Evanston, Evanston Township, Cook County. The subject is classified as a class 2-06 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables improved with class 2-06 two-story dwellings of frame construction ranging in size from 3,915 to 4,428 square feet of living area. The homes range in age from 118 to 133 years old. Each property has a full unfinished basement, one comparable has central air conditioning,

and each property has a detached two-car garage. Each comparable has the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$56,570 to \$64,232 or from \$14.50 to \$14.52 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$63,220.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$86,727. The subject property has an improvement assessment of \$67,577 or \$15.51 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables improved with two-story dwellings of frame construction ranging in size from 4,276 to 4,660 square feet of living area. The homes range in age from 98 to 128 years old. Each property has a full basement with one having a formal recreation room, two comparables have central air conditioning, each property has two or seven fireplaces, and each comparable has a 2-car garage. The comparables have the same property classification code and neighborhood code as the subject property. The comparables have improvement assessments ranging from \$74,424 to \$78,579 or from \$16.34 to \$18.30 per square foot of living area.

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 information on seven comparables with the same property classification code and neighborhood code as the subject property. Appellant's comparable #3 and board of review comparable #2 have central air conditioning whereas as the subject has no central air conditioning, indicating downward adjustments would be needed to make the comparables more equivalent to the subject property for this feature. Each of the appellant's comparables lack a fireplace whereas the subject property has two fireplaces, suggesting upward adjustments would be needed to these comparables to make them more equivalent to the subject property for this feature. Board of review comparable #3 has central air conditioning and finished basement area, whereas the subject has neither of these attributes indicating that downward adjustments would be needed to make the comparable more similar to the subject property. All the comparables are all relatively similar to the subject in size and age. The comparables have improvement assessments that range from \$56,750 to \$78,579 or from \$14.50 to \$18.30 per square foot of living area. Board of review comparables #1 and #4 are most similar to the subject in overall features with improvement assessments of \$78,231 and \$78,579 or \$18.30 and \$16.99 per square foot of living area, respectively. The subject's improvement assessment of \$67,577 or \$15.51 per square foot of living area falls within the range established by the comparables in this record and is well supported given the possible adjustments needed to the comparables as well as considering the two most similar homes. Based on this record the Board finds the appellant did

not demonstrate with clear and convincing evidence that the subject's improvement is 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:

October 19, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Edward Kuczmariski, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602