



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

APPELLANT: Dalmangas Peter
DOCKET NO.: 18-23401.001-R-1
PARCEL NO.: 09-23-103-067-0000

The parties of record before the Property Tax Appeal Board are Dalmangas Peter, 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: \$5,076
IMPR.: \$29,340
TOTAL: \$34,416

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 consists of a two-story dwelling of masonry exterior construction with 2,347 square feet of living area. The dwelling is 50 years old. Features of the home include a partial basement with finished area, central air conditioning, and a two-car garage. The property has a 6,550 square foot site and is located in Niles, Maine Township, Cook County. The subject is classified as a Class 2-78 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 five equity comparables that are located within the same neighborhood code as the subject property. The comparables are improved with two-story dwellings of masonry exterior construction ranging in size from 2,302 to 2,909 square feet of living area. The dwellings range in age from to 27 to 50

years old. One comparable has a partial basement with finished area, and four comparables each have a full unfinished basement. Each comparable has one fireplace and either a two-car or a three-car garage. Based upon the response in the appellant's grid analysis, the Board is unable to determine if the comparables have air conditioning. The comparables have improvement assessments ranging from \$28,798 to \$35,321 or from \$12.12 to \$12.51 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$28,807 or \$12.27 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$28,807 or \$12.27 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,300. The subject property has an improvement assessment of \$32,224 or \$13.73 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 that are located within a different neighborhood code than the subject property. The comparables are improved with two-story dwellings of masonry or frame and masonry exterior construction with 2,341 or 2,608 square feet of living area. The dwellings range in age from 20 to 22 years old. Each comparable has a full unfinished basement, central air conditioning, one fireplace, and a two-car garage. The comparables have improvement assessments ranging from \$33,689 to \$37,689 or from \$14.39 to \$14.45 per square foot of living area. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

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 parties submitted nine suggested comparables for the Board's consideration. The Board recognizes, except for the appellant's comparable #1, all of the comparables have dwellings considerably newer in age than the subject's dwelling and each dwelling has a dissimilar unfinished basement, unlike the subject's partial basement with finished area. The board gives less weight to the appellant's comparables #2, #4 and #5 due to their dwellings considerably newer ages and significantly larger dwelling sizes when compared to the subject. The Board also gives less weight to the board of review comparables due to their different neighborhood codes and the dwellings considerably newer ages when compared to the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1 and #3 because they are located in the same neighborhood as the subject and are closer in age to the subject dwelling than the other comparables. Additionally, the Board gives greater weight to the appellant's comparable #1 which is the best comparable in this record since it is identical in age to the subject dwelling and very similar to the subject in almost every aspect. The appellant's

comparable #3 is also superior to the subject with its newer age, larger dwelling size and larger garage when compared to the subject dwelling. These two comparables have improvement assessments of \$12.51 and \$12.27 per square foot of living area, respectively. The subject's improvement assessment of \$13.73 per square foot of living area falls above the two best comparables contained in this record. After considering adjustments to the comparables for differences when compared to the subject, such as the dwelling's newer ages, larger dwelling size, and dissimilar unfinished basements, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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 15, 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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