



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

APPELLANT: Bart Kochanczyk  
DOCKET NO.: 18-33671.001-R-1  
PARCEL NO.: 12-28-317-003-0000

The parties of record before the Property Tax Appeal Board are Bart Kochanczyk, 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:** \$2,240  
**IMPR.:** \$12,817  
**TOTAL:** \$15,057

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 one-story dwelling of masonry exterior construction with 1,037 square feet of living area. The dwelling is approximately 59 years old. Features of the home includes a full unfinished basement, central air conditioning and a one-car garage. The property has a 4,480 square foot site and is located in Franklin Park, Leyden Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on both overvaluation and assessment equity. The subject's land assessment was not challenged.

In support of the overvaluation argument the appellant submitted information on four comparable sales located in the same neighborhood code as the subject property. The

comparables have sites that range in size from 3,888 to 8,064 square feet of land area that are improved with class 2-03 dwellings of frame, masonry or frame and masonry exterior construction that range in size from 1,042 to 1,308 square feet of living area. The homes range in age from 56 to 72 years old. Three comparables have a basement with one having finished area and one comparable has a concrete slab foundation. Two comparables each have central air conditioning, one comparable has a fireplace and each comparable has from a 1-car to a 2-car garage. The comparables sold from August 2016 to June 2018 for prices ranging from \$144,000 to \$160,000 or from \$120.34 to \$138.20 per square foot of living area, land included.

As an alternate basis of the appeal, the appellant contends assessment inequity with respect to the subject's improvement assessment. In support of the inequity argument the appellant submitted seven comparable properties located within 0.20 of a mile from the subject and in the same neighborhood code as the subject property. The comparables are improved with one-story, class 2-03 dwellings of frame or masonry exterior construction that range in size from 1,025 to 1,285 square feet of living area. Five of the comparables have a basement with one having finished area and two of the comparables have concrete slab foundations. Five comparables each have central air conditioning and each of the comparables have from a 1-car to a 2-car garage. The comparables have improvement assessments that range from \$10,488 to \$12,461 or from \$8.80 to \$11.71 per square foot of living area.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$13,619. The requested assessment reflects a total market value of \$136,190 or \$131.33 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 request would lower the subject's improvement assessment to \$11,379 or \$10.97 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 \$15,057. The subject's assessment reflects a market value of \$150,570 or \$145.20 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%. The subject has an improvement assessment of \$12,817 or \$12.36 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparable properties, located within 0.25 of a mile from the subject and within the same neighborhood code as the subject property. The comparables have sites ranging in size from 4,361 to 10,752 square feet of land area and are improved with one-story, class 2-03 dwellings of masonry exterior construction ranging in size from 1,001 to 1,527 square feet of living area. The homes range in age from 58 to 62 years old. Each comparable has a basement with one having finished area. Two comparables each have central air conditioning, one comparable has a fireplace and each comparable has either a 1.5-car or a 2-car garage. The comparables sold from May to August 2017 for prices ranging from \$230,000 to \$266,000 or from \$150.62 to \$265.73 per square foot of living area, land included. The comparable properties had improvement assessments ranging from \$15,416 to \$16,627 or from \$10.53 to \$15.84 per square foot of living area.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **Conclusion of Law**

The appellant contends, in part, 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 evidence in the record 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 on market value grounds. The Board gave less weight to the appellant's comparables and board of review comparables #2 and #3 due to larger dwelling size, larger site size, concrete slab foundation, finished basement and/or lack of central air conditioning when compared to the subject property.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #4 which are relatively similar to the subject in location, age, design, dwelling size and most features. These two comparables sold in June and May 2017 for prices of \$240,000 and \$260,900 or for \$228.57 and \$260.64 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$150,570 or \$145.20 per square foot of living area, including land, which falls below the values of the two 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, based on overvaluation is not justified.

The taxpayer also contends assessment inequity as an alternative 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, based on inequity is not warranted.

The parties submitted eleven equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #4, #6 and #7 along with board of review comparables #2 and #3 due to their finished basement, slab foundation, larger dwelling size, larger site size and/or lack of central air conditioning when compared to the subject property.

The Board finds the best evidence of assessment equity to be the appellant's comparables #2, #3 and #5 as well as board of review comparables #1 and #4 which are similar to the subject in location, age, design, dwelling size and most features. These comparables have improvement assessments ranging from \$11,910 to \$16,627 or from \$11.43 to \$15.84 per square foot of living area. The subject's improvement assessment of \$12,817 or \$12.36 per square foot of living area falls within the range established by the best equity comparables in the record. Therefore, after

considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is supported and no reduction based on lack of uniformity 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

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