



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

APPELLANT: Luka Alempijevic
DOCKET NO.: 18-34701.001-R-1
PARCEL NO.: 13-24-322-033-0000

The parties of record before the Property Tax Appeal Board are Luka Alempijevic, the appellant(s), 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 **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: \$13,611
IMPR.: \$55,448
TOTAL: \$69,059

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 mixed-use building of masonry exterior construction with 5,880 square feet of building area. The building is approximately 92 years old. Features of the building include a full unfinished basement. The property has a 6,187 square foot site located in Chicago, Lake Township, Cook County. The subject is classified as a class 2-12 mixed-use 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 eight equity comparables that are located within the same neighborhood code as the subject. The comparables are improved with similar class 2-12 buildings of masonry or frame and masonry exterior construction ranging in size from 5,472 to 6,343 square feet of building area. The buildings range in age from 75 to 116 years old. Seven comparables have full or partial

unfinished basements and one comparable has a concrete slab foundation. Three comparables have either a 1.5-car or a 2-car garage. The comparables have improvement assessments ranging from \$34,616 to \$55,914 or from \$5.91 to \$9.43 per square foot of building area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$45,158 or \$7.68 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$81,890. The subject property has an improvement assessment of \$68,279 or \$11.61 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 located within the same neighborhood code as the subject property. The comparables are improved with one, two-story class 2-11 and three, two-story class 2-12 mixed-use buildings of masonry exterior construction ranging in size from 4,712 to 5,840 square feet of building area. The buildings range in age from 92 to 107 years old. The comparables have full or partial basements with one comparable having finished area. Two comparables each have central air conditioning. Two comparables have either a 1.5-car or a 4-car garage. The comparables have improvement assessments ranging from \$25,146 to \$58,329 or from \$4.68 to \$10.15 per square foot of building area. Based on this evidence, the board of review requested the 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 twelve suggested comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #1, #2, #3 and #4 due to their garages and/or lack of a basement when compared to the subject. The Board gives less weight to the board of review's comparables #1 and #2 as they appear to be outliers with their significantly lower improvement assessments when compared to the subject and the other comparables in this record. The Board gives less weight to the board of review comparables #3 and #4 due to their different building classification, smaller building size, finished basement area and/or garages when compared to the subject. The Board finds the best evidence of assessment equity to be the appellant's comparables #5, #6, #7 and #8 as they are relatively similar to the subject in age and dwelling size with features having varying degrees of similarity to the subject. These comparables have improvement assessments ranging from \$46,616 to \$55,914 or from \$7.94 to \$9.43 per square foot of building area. The subject's improvement assessment of \$68,279 or \$11.61 per square foot of building area falls above the range established by the best comparables in this record. Based on this record, the Board finds the appellant demonstrated 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: November 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

AGENCY

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