



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

APPELLANT: Debra Erbacci
DOCKET NO.: 19-29181.001-R-1
PARCEL NO.: 14-19-318-039-0000

The parties of record before the Property Tax Appeal Board are Debra Erbacci, the appellant(s), by attorney Christopher G. Walsh, Jr., of Walsh Law, 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: \$16,120
IMPR.: \$43,955
TOTAL: \$60,075

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

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 2019 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 118-year-old, 1.5-story, single-family dwelling of frame construction with 1,308 square feet of living area. The property has a 3,100 square foot site located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

Appellant contends assessment inequity as the basis of the appeal. In support of this argument, appellant submitted information on four suggested equity comparables. Each of the comparable properties were improved with a 1.5-story, single-family residence of frame construction that ranged from 1,337 to 1,394 in square feet of living area. They ranged in assessment from \$33.09 to \$34.12 per square foot of living area. Appellant also submitted a copy of the board of review's written decision reflecting its final total assessment for the subject property of \$71,645. Based on this evidence, appellant requested a reduction in the subject's assessment to \$59,755.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$71,645. The subject property has an improvement assessment of \$55,525, or \$42.45 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on four suggested equity comparables. Each were improved with a 1.5-story residence of frame masonry construction. The comparables ranged from 1,101 to 1,159 square feet of living area. They ranged in assessment from \$46.98 to \$55.42 per square foot of living area. In addition, the board of review included information in its grid analysis indicating two of its comparables sold between September 2017 and March 2019 for between \$570,000 and \$825,000, or from \$512.13 to \$738.59 per square foot of living area, including land.

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 appellant *did meet* this burden of proof and a reduction in the subject's assessment *is* warranted.

The Board finds the best evidence of assessment equity to be *appellant's comparables #1, #2, #3, and #4*. These comparables were most similar to the subject property in living area square footage. All of the comparables submitted by both parties were close to the subject property in proximity and similar to it in construction and age. The best comparables had improvement assessments that ranged from \$33.09 to \$34.12 per square foot of living area. The subject's improvement assessment of \$42.45 per square foot of living area falls above the range established by the best comparables in this record. Based on this record, the Board finds 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:

August 22, 2023



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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