



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

APPELLANT: Jose and Elia Garcia  
DOCKET NO.: 19-36107.001-R-1  
PARCEL NO.: 17-05-319-097-0000

The parties of record before the Property Tax Appeal Board are Jose and Elia Garcia, the appellants, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & 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:** \$10,526  
**IMPR.:** \$56,493  
**TOTAL:** \$67,019

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 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 2-story multi-family building of frame exterior construction with 3,802 square feet of building area. The building is approximately 140 years old. Features of the building include a basement finished with an apartment. The property has a 3,096 square foot site and is located in Chicago, West Chicago Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellants contend assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellants submitted information on four equity comparables with same neighborhood code as the subject property. The comparables are improved with class 2-11 multi-family buildings of masonry exterior construction that range in size from 4,560 to 4,698 square feet of building area. The comparables range in age from 120 to

140 years old. Each comparable has an unfinished basement. The comparables have improvement assessments ranging from \$43,619 to \$60,679 or from \$9.34 to \$13.12 per square foot of building area. Based on this evidence, the appellants requested that the subject's improvement assessment be reduced to \$45,700 or \$12.02 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 \$67,019. The subject property has an improvement assessment of \$56,493 or \$14.86 per square foot of building area.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables with the same neighborhood code as the subject property. The comparables are improved with 2-story class 2-11 multi-family buildings of frame exterior construction that range in size from 3,276 to 3,784 square feet of building area. The comparables range in age from 130 to 140 years old. The comparables each have a basement with three finished with apartments. One comparable has central air conditioning. Two comparables each have a 2-car garage. The comparables have improvement assessments ranging from \$55,696 to \$59,598 or from \$15.75 to \$17.22 per square foot of building area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **Conclusion of Law**

The taxpayers contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparables for the Board's consideration. The Board gives less weight to the appellants' comparables which differ substantially from the subject in size. The Board gives less weight to board of review comparables #1 and #2 which each have a garage, which is not a feature of the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #3 and #4 which are similar to the subject in location, design, age, dwelling size, and most features. These comparables have improvement assessments of \$55,696 and \$59,598 or \$16.93 and \$15.75 per square foot of building area, respectively. The subject's improvement assessment of \$56,493 or \$14.86 per square foot of building area is bracketed by the improvement assessments of the two best comparables in the record on an overall basis but below on a per square foot basis. Based on this record, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's improvement assessment based on inequity is not 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.



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Chairman



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Member



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Member

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Member



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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: June 27, 2023



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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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