



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

APPELLANT: Manuel Garcia
DOCKET NO.: 19-36108.001-R-1
PARCEL NO.: 13-25-131-044-0000

The parties of record before the Property Tax Appeal Board are Manuel Garcia, the appellant, 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: \$12,719
IMPR.: \$56,803
TOTAL: \$69,522

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 masonry exterior construction with 4,796 square feet of building area. The building is approximately 137 years old. Features of the building include an unfinished basement, central air conditioning, one fireplace, and a 2-car garage. The property has a 4,463 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 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 four equity comparables with the same neighborhood code as the subject property. The comparables are improved with 2-story or 3-story¹ class 2-11 buildings of masonry exterior construction that

¹ The comparables story height was determined from the photographic evidence presented by the appellant.

range in size from 3,944 to 5,472 square feet of building area. The comparables range in age from 96 to 120 years old. Each comparable has a basement with two finished with apartments and from a 1.5-car to a 3-car garage. The comparables have improvement assessments ranging from \$43,187 to \$55,261 or from \$9.78 to \$10.95 per square foot of building area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$50,214 or \$10.47 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 \$69,522. The subject property has an improvement assessment of \$56,803 or \$11.84 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 or 3-story class 2-11 multi-family buildings of masonry exterior construction ranging in size from 3,932 to 4,761 square feet of building area. The comparables range in age from 4 to 102 years old. Each comparable has a basement with one finished with a recreation room. One comparable has central air conditioning. Three comparables each have a 2-car or a 3-car garage. The comparables have improvement assessments ranging from \$51,895 to \$75,360 or from \$12.20 to \$16.21 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 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 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 appellant's comparables #1 and #2 as well as board of review comparables #3 and #4 due to differences from the subject in age or design. The Board also gives reduced weight to board of review comparable #1 which lacks a garage which is a feature of the subject.

The Board finds the best evidence of assessment equity to be the parties' three remaining comparables which are relatively similar to the subject in age, building size, and features. These comparables have improvement assessments ranging from \$43,187 to \$54,026 or from \$10.69 to \$13.74 per square foot of building area. The subject's improvement assessment of \$56,803 or \$11.84 per square foot of building area falls above the range established by the best comparables in the record on an overall improvement assessment basis but within the range on a per square foot basis. The subject's higher overall improvement assessment is logical considering its larger building size when compared to the best comparables in the record. After considering adjustments to the best comparables for differences from the subject, the Board finds the appellant 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.



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: June 27, 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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