



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

APPELLANT: Agnieszka Jankue
DOCKET NO.: 19-38215.001-R-1 through 19-38215.004-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Agnieszka Jankue, the appellant(s), by attorney Anthony M. Farace, of Amari & Locallo 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
19-38215.001-R-1	12-36-203-039-0000	1,134	18,165	\$19,299
19-38215.002-R-1	12-36-203-040-0000	826	18,401	\$19,227
19-38215.003-R-1	12-36-203-041-0000	823	18,404	\$19,227
19-38215.004-R-1	12-36-203-042-0000	925	18,322	\$19,247

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 properties consist of four distinct apartments, each with its own PIN, within a 12-year-old, three-story, multi-family dwelling of masonry construction with 7,336 square feet of living area. Features of the building include: each apartment having three bedrooms, two full bathrooms, one half-bathroom, and a two-car garage. The property has a 4,125 square foot site and is located in Elmwood Park, Leyden Township, Cook County. The subject is classified as a class 2-95 property under the Cook County Real Property Assessment Classification Ordinance since the building was originally built as a condominium association; however, the building has since been converted into a rental apartment building and as such would more rightly be categorized as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal for the entire building. The appraisal considered three approaches to valuation: Cost Approach, Income Capitalization Approach, and Sales Comparison Approach. The appraiser did not utilize the Cost Approach because a valuation based on such a method would be "highly speculative." Appellant Appraisal p42. The appraiser used the Income Capitalization Approach and the Sales Comparison Approach and for each of these approaches estimated the subject property, as of January 1, 2019, had a market value of \$730,000 or \$770,000 respectively. The appraiser concluded that the Sales Comparison Approach was given their primary emphasis. Id. at 68.

The board of review submitted its "Board of Review Notes on Appeal" which reflected information pertaining to PIN 12-36-203-039-0000 as the only property that was the subject of this appeal. The total assessment for PIN 12-36-203-039-0000 was \$24,739. The subject's assessment reflects a market value of \$247,390, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables, which were PIN 12-36-203-040-0000, PIN 12-36-203-041-0000, and PIN 12-36-203-042-0000 which are also the subject of this appeal. Using this information, which was provided purported comparable properties, the total assessments of the aforementioned properties were \$24,737, \$24,737, and \$24,734, respectively, which brings the market value of these remaining properties to \$247,370, \$247,370, and \$247,340, when using the Cook County Real Estate Classification Ordinance level of assessment for class 2 property of 10%. A total market value of the building, when adding the market value of the four properties, would be \$1,030,620.

Conclusion of Law

The appellant contends 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 appellant *met* this burden of proof and a reduction in the subject's assessment *is* warranted.

The Board finds the best evidence of market value to be *the appraisal submitted by the appellant*. The subject's assessment reflects a market value above the best evidence of market value in the record. The Board finds, as of the assessment date at issue, the subject properties had a total market value as follows: PIN 12-36-203-039-0000 at \$192,990; PIN 12-36-203-040-0000 at \$192,270; PIN 12-36-203-041-0000 at \$192,270; and PIN 12-36-203-041-0000 at \$192,470. Since market value has been established, the level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10% shall apply. (86 Ill.Admin.Code §1910.50(c)(2)). Based on this evidence the Board finds 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 23, 2022



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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