



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

APPELLANT: Michael S Olszewski
DOCKET NO.: 19-44417.001-R-1
PARCEL NO.: 20-25-428-014-0000

The parties of record before the Property Tax Appeal Board are Michael S Olszewski, the appellant(s), by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$ 3,375
IMPR.: \$14,593
TOTAL: \$17,968

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 two-story dwelling of masonry exterior construction with 2,095 square feet of living area. The dwelling is 71 years old. Features of the home include a full finished basement and a one-car garage. The property has a 3,750 square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance. The appellant indicated the subject property is not owner-occupied.

The appellant contends both overvaluation and lack of assessment uniformity as the bases of the appeal. In support of the overvaluation argument, the appellant completed Section IV – Recent Sale Data of the petition and reported that the subject property was sold by owner to the appellant on May 24, 2016 for a price of \$30,000 or \$14.32 per square foot of living area, including land, in a cash transaction. The appellant reported the parties were not related however

the property was not advertised for sale on the open market and there were no realtors involved in the transaction. In further support of the purchase price, the appellant submitted a copy of the Settlement Statement and Warranty Deed.

In support of the inequity argument, the appellant submitted descriptive information on seven equity comparables. The properties are located within the same neighborhood code as the subject. The comparables consist of two-story class 2-05 dwellings of masonry exterior construction. The dwellings range size from 1,879 to 2,047 square feet of living area and have improvement assessments ranging from \$3.47 to \$6.25 per square foot of living area.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$9,346 which would reflect a total market value of \$93,460 or \$44.61 per square foot of living area, land included, when applying the level of assessment under the Cook County Real Property Assessment Classification Ordinance of 10%. The requested reduced improvement assessment of \$5,971 would reflect an assessment of \$2.85 per square foot of living area.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$17,968. The subject's assessment reflects a market value of \$179,680 or \$85.77 per square foot of living area, including land, when applying the level of assessment under the Cook County Real Property Assessment Classification Ordinance of 10%. The subject property has an improvement assessment of \$14,593 or \$6.97 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, one of which reflected sale data. Each comparable is located within one or two blocks from the subject. The comparables are improved with similar two-story dwellings of masonry exterior construction. The comparables ranged in size from 1,387 to 1,877 square feet of living area and range in age from 68 to 79 years old. Each comparable has a full basement. The comparables have improvement assessments ranging from \$7.25 to \$8.48 per square foot of living area.

The sale comparable sold in May 2018 for \$175,000, or \$116.36 per square foot, including land. The sale of the subject in June 2016 for \$30,000, or \$14.32 per square foot, including land, was also reflected on the grid sheet. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends that 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted on grounds of overvaluation.

The Board finds that the subject's sale does not have the elements of an arm's length transaction as it was not advertised for sale or exposed on the open market. The subject's assessment reflects a market value of \$85.77 per square foot of living area, including land, while its purchase price reflects a market value of \$14.32 per square foot of living area, including land. The board of review provided one sale comparables that sold at a time proximate to the valuation date and was similar to the subject in location, age construction and design. It sold for \$116.36 per square foot, including land, which is not only well above the subject's purchase price but its current market value as well. Moreover, the appellant failed to submit any sale comparables that demonstrate that the sale of the subject was at market value. Accordingly, the Board finds that a reduction in the subject's assessment is not justified based on the evidence contained in the record.

The taxpayer also contends assessment inequity with regard to the improvement. 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 a total of 11 equity comparables to support their respective positions before the Property Tax Appeal Board. The Board finds the best evidence of assessment equity to be the appellant's comparable(s) #2 as well as the board of review's comparable(s) #1 and #2. These comparables are most similar to the subject in location, construction, age and design. These comparables had improvement assessments that ranged from \$6.25 to \$7.25 per square foot of living area. The subject's improvement assessment of \$6.97 per square foot of living area falls within the range established by the best comparables in this record.

Based on this record and after considering adjustments to the best comparables for differences when compared to 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 assessment is not justified based upon a lack of assessment uniformity. In conclusion, having examined the entire record, the Board finds that no change in the subject's assessment is warranted based either upon grounds of overvaluation or assessment inequity

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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