



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

APPELLANT: Bogdan Bryniarski
DOCKET NO.: 19-46511.001-R-1
PARCEL NO.: 02-19-229-025-0000

The parties of record before the Property Tax Appeal Board are Bogdan Bryniarski, the appellant(s), by attorney Stephanie Park, of Park & Longstreet, P.C. in Inverness; 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: \$3,773
IMPR.: \$25,055
TOTAL: \$28,828

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 33-year-old, two-story, single-family dwelling of frame construction with 1,881 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car attached garage. The property has a 6,038 square foot site and is located in Hoffman Estates, Palatine Township, Cook County. The subject is classified as a class 2-07 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and inequity as the bases of the appeal. In support of the market value argument, the appellant submitted four comparable sales with varying degrees of similarity to the subject. The appellant reported that two of the comparables were located in the same subarea as the subject and disclosed that all the comparables had the same neighborhood code as the subject. The comparables are described as single-family dwellings of frame

construction. They sold from July 2017 to December 2018 for prices ranging from \$232,300 to \$265,000 or \$126.08 to \$143.53 per square foot of living area, including land.

In support of the equity argument, the appellant submitted information on twelve equity comparables with varying degrees of similarities to the subject. The appellant reported that five of the comparables were located in the same subarea as the subject and disclosed that all the suggested comparables had the same neighborhood code as the subject. The comparables had improvement assessments ranging from \$11.02 to \$12.01 per square foot of living area. Based on the submitted evidence on both basis of appeal, the appellant requested the subject's total assessment be reduced to \$23,720.

The appellant also indicated a contention of law as a basis of this appeal. Included in the submitted evidence was a brief entitled "Brief in support of Residential Appeal" which provided argument that the subject property was being inequitably assessed and overvalued. Neither the appellant's brief nor submitted evidence provided evidence to support a contention of law as a basis for this appeal.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$28,828 with an improvement assessment of \$25,055 or \$13.32 per square foot of living area. The total assessment reflects a market value of \$288,280 or \$153.26 per square foot of living area, land included, using the Cook County Real Property Assessment 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 four equity comparables and four sales comparables.

The four sales comparables are described as two-story, single-family dwellings of frame construction. The comparables were located either within the same subarea as the subject or within a ¼ mile radius of the subject. They sold from June 2017 to May 2018 for prices ranging from \$168.17 to \$185.64 per square foot of living area, land included.

The four equity comparables were described as single-family dwellings of frame construction located within a block of the subject. They range in size from 1,706 to 1,824 square feet of living area and in improvement assessment from \$15.16 to \$16.42 per square foot of living area.

In written rebuttal, the appellant argued that the of the board of review's suggested comparable properties fail to support the assessed valuation because they have superior characteristics than the subject. The appellant reaffirmed the request for an assessment reduction.

Prior to a scheduled January 3, 2024, hearing before a PTAB Administrative Law Judge the parties entered into a written agreement to waive hearing and have a decision rendered based on the previously submitted evidence.

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 best evidence of market value to be the appellant's sales comparables #1 through #4 and the board of review's sales comparable #2 through #4. These seven comparables had sales prices ranging from \$126.08 to \$185.64 per square foot of living area, including land. In comparison the subject's assessment reflects a market value of \$153.26 per square foot of building area, land included, is within the range of the best comparables in this record. After considering all the comparables submitted by the parties with emphasis on those properties that are more proximate in location and with similar features relative to the subject and after further considering adjustments to the best comparables for differences from the subject, the Board finds the subject's improvement assessment, on this basis, is supported. The Board finds that the appellant failed to demonstrate by a preponderance of the evidence that the subject was overvalued and, therefore, a reduction in the subject's assessment commensurate with the appellant's request is not justified.

The taxpayer also 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 that a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #10, #11 and #12 and the board of review's comparables #1 through #4. These equity comparables had improvement assessments that ranged from \$11.02 to \$16.42 per square foot of living area. The subject's improvement assessment of \$13.32 per square foot of living area falls within the range established by the best comparables in this record. After considering all the comparables submitted by the parties with emphasis on those properties that are more proximate in location and with similar features relative to the subject and after further considering adjustments to the best comparables for differences from the subject, the Board finds the subject's improvement assessment is supported. The Board finds that the appellant failed to demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and, therefore, a reduction in the subject's assessment commensurate with the appellant's request is not 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

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: _____

July 16, 2024



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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