



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

APPELLANT: Daniel Stralka
DOCKET NO.: 21-46606.001-R-1
PARCEL NO.: 13-06-404-002-0000

The parties of record before the Property Tax Appeal Board are Daniel Stralka, the appellant(s); 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: \$21,000
IMPR.: \$39,317
TOTAL: \$60,317

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 2021 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 10,500 square foot parcel of land improved with a 97-year-old, one and one-half story, masonry, single-family dwelling containing 2,479 square feet of building area. The property is located in Chicago, Jefferson Township, Cook County and is classified as a class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends inequity as the basis of the appeal. In support of the equity argument, the appellant submitted four comparables. The comparables are described as one or one and one-half story, frame and masonry or masonry, single-family dwellings. They range: in age from 96 to 102 years; in size from 1,857 to 2,837 square feet of building area; and in improvement assessment from \$12.01 to \$14.11 per square foot of building area. The petition discloses the subject is an owner-occupied residence.

The appellant submitted a letter asserting how the board of review developed their assessed value for the subject and opined that the appellant's comparables #1 and #4 are most similar to the subject. The appellant then argues evidence that the board of review used at its appeal level to determine the board of review's decision and mentioned comparables used in a 2006 appeal.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment of \$60,317 with an improvement assessment of \$39,317 or \$15.86 per square foot of building area.

In support of the current assessment, the board of review submitted four comparables. The comparables are described as one or one and one-half story, stucco or masonry, single-family dwellings. They range: in age from 60 to 105; in size from 2,016 to 2,509 square feet of building area; and in improvement assessment from \$14.35 to \$17.38 per square foot of building area.

In rebuttal, the appellant submitted a letter asserting that the board of review should have used comparables that were used in the past and have lower assessments than the subject. The appellant also argues that one of the board of review's comparables is assessed below the subject and that all of their comparables are located from .3 to .6 miles from the subject which is farther than the listed one-quarter mile. The appellant concludes his argument by opining that he has met his burden and that the board of review has misled the Board with its chosen comparables. The appellant then submitted the 2006 appeal "Board of Review-Notes on Appeal."

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).

As an initial matter, the appellant's complaint regarding the Board of Review's failure to use comparables used in previous appeals will be briefly addressed. The law is clear that proceedings before the Property Tax Appeal Board are de novo "meaning the Board will only consider the evidence, exhibits and briefs submitted to it, and will not give any weight or consideration to any prior actions by a local board of review" (86 Ill.Admin.Code §1910.50(a)). Moreover, the jurisdiction of the Property Tax Appeal Board is limited to determining the correct assessment of the property appealed to it; the Board has no jurisdiction to address any alleged procedural and/or due process violations alleged with regard to actions and/or inactions at the local board of review level. (35 ILCS 200/16-180). Thus, the Board gives no weight to the appellant's argument that the board of review evidence should not be considered because it did not include comparables from previous appeal years.

The Board finds the best evidence of assessment equity to be the appellant's comparable #2 and the board of review's comparables #2 and #4. These comparables had improvement assessments ranging from \$12.45 to \$15.99 per square foot of building area. While all the comparables are

similar to the subject in location, age, and design, the remaining comparables were given less weight due to differences in size. In comparison, the subject's improvement assessment of \$15.86 per square foot of building area is within the range of the best comparables in this record. Based on this record 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 improvements 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

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 22, 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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