



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

APPELLANT: Joseph Scalise
DOCKET NO.: 21-48787.001-R-1
PARCEL NO.: 17-28-312-001-0000

The parties of record before the Property Tax Appeal Board are Joseph Scalise, the appellant, by attorney Mary Kate Gorman, Attorney at Law 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: \$13,640
IMPR.: \$47,619
TOTAL: \$61,259

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 is improved with two buildings. The first is a three-story, multi-family dwelling of masonry construction with 3,399 square feet of living area. The building is 133 years old. Features include a full, unfinished basement and a two-car garage. The second is a two-story residence of frame construction with 1,320 square feet of living area. This building is also 133 years old. Features include a slab foundation. The property has a 3,100 square foot site and is located in Chicago, South 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 asserts assessment inequity as a basis of the appeal. In support of this argument, the appellant submitted information on three suggested equity comparables relating to the first improvement, and three suggested equity comparables relating to the second improvement.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$61,250. The board of review states that the improvement assessment for the first improvement is \$30,591, or \$9.00 per square foot of living area. The board of review further states that the improvement assessment for the second improvement is \$17,028, or \$12.90 per square foot of living area support of its contention of the correct assessment, the board of review submitted information on four suggested equity comparables relating to the first improvement and four others relating to the second improvement.

Conclusion of Law

The taxpayer asserts assessment inequity as the basis of the appeal. The Illinois Constitution requires that real estate taxes "be levied uniformly by valuation ascertained as the General Assembly shall provide by law." Ill. Const., art. IX, § 4 (1970); Walsh v. Property Tax Appeal Board, 181 Ill. 2d 228, 234 (1998). This uniformity provision of the Illinois Constitution does not require absolute equality in taxation, however, and it is sufficient if the taxing authority achieves a reasonable degree of uniformity. Peacock v. Property Tax Appeal Board, 339 Ill. App. 3d 1060, 1070 (4th Dist. 2003).

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); Walsh, 181 Ill. 2d at 234 (1998). Clear and convincing evidence means more than a preponderance of the evidence, but it does not need to approach the degree of proof needed for a conviction of a crime. Bazyldo v. Volant, 164 Ill. 2d 207, 213 (1995). 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The best suggested comparables for the subject's first and larger improvement are the board of review's suggested comparables one, two and three. Like the subject property, these comparables have 133-year-old, multi-family residences of masonry construction. The dwellings on these comparables are similar in living area size to the subject's first improvement, and their lots are similar in size to the subject's lot. These suggested comparables are all located on the same block as the subject.

The improvement assessments of these comparables range from \$10.34 to \$11.40 per square foot of living area. The assessment of the subject's first improvement amounts to \$9.00 per square foot of living area, which is below the range suggested by the best comparables in the record.

The best comparables in the record for the second and smaller improvement are the appellant's suggested comparables two and three and the board of review's suggested comparable two. Like the subject property's second improvement, these suggested comparables have multi-family residences with two full bathrooms, and they lack central air conditioning. The dwellings on these comparables are similar in age and living area size to the subject's second improvement. Their lots are similar in size to the subject's lot, and they are assigned the same neighborhood code as the subject. One of these comparables is within a quarter mile of the subject.

The improvement assessments of these suggested comparables range from \$10.86 to \$14.49 per square foot of living area. The improvement assessment of the subject's second improvement assessment is \$12.90, which is within the range suggested by the best comparables in the record. Accordingly, the appellant has not shown by clear and convincing evidence that the subject is inequitably assessed, and a reduction in the assessment 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: February 20, 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

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