



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

APPELLANT: Biagio Gariti
DOCKET NO.: 21-50530.001-R-1
PARCEL NO.: 09-36-411-007-0000

The parties of record before the Property Tax Appeal Board are Biagio Gariti, the appellant, by attorney Abby L. Strauss of Schiller Law P.C. 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: \$10,500
IMPR.: \$34,500
TOTAL: \$45,000

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 one-story dwelling of masonry exterior construction with 1,373 square feet of living area. The dwelling is approximately 98 years old. Features of the home include a full basement with finished area,¹ central air conditioning, 1 bathroom, a fireplace and a 2-car garage. The property has a 5,250 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-03 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on nine equity comparables that have the same assessment neighborhood code as the subject. The comparables are class 2-03 properties that are

¹ The board of review disclosed the subject dwelling has a full basement that is finished with a formal recreation room, which was not refuted by the appellant.

improved with dwellings of masonry exterior construction ranging in size from 1,210 to 1,457 square feet of living area. The dwellings are from 62 to 99 years old. Eight comparables each have a full or partial basement and comparable #8 has a concrete slab foundation. No data was provided by the appellant concerning finished basement area. Each comparable has 1 or 2 bathrooms, five comparables have central air conditioning and eight comparables each have from a 1-car to a 2.5-car garage. The comparables have improvement assessments that range from \$14,296 to \$26,000 or from \$10.30 to \$18.03 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$22,586 or \$16.45 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 \$45,000. The subject property has an improvement assessment of \$34,500 or \$25.13 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables that have the same assessment neighborhood code as the subject. The comparables are class 2-03 properties that are improved with one-story dwellings of masonry exterior construction ranging in size from 1,188 to 1,390 square feet of living area. The dwellings are each 93 years old. Each comparable has a full basement, one of which has finished area. Comparable #3 has central air conditioning. Each comparable has 1, 1½ or 2½ bathrooms and a 2-car garage. Two comparables each have a fireplace. The comparables have improvement assessments that range from \$36,032 to \$37,760 or from \$27.17 to \$30.33 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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). 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 twelve comparables for the Board's consideration. The Board has given less weight to the appellant's comparables #1 and #3 through #9, which differ from the subject dwelling in age. The Board has given reduced weight to board of review comparable #3 due to its smaller dwelling size when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparable #2, along with board comparables #1 and #2, which are overall more similar to the subject in location dwelling size, age and some features. However, the Board finds none of the comparables reportedly have basement finish, two comparables lack central air conditioning and two comparables each lack a fireplace, which are features of the subject, suggesting upward adjustments would be required to make the comparables more equivalent to the subject.

Conversely, one comparable has an additional half bathroom, suggesting a downward adjustment for this feature would be necessary. Nevertheless, these three comparables have improvement assessments that range from \$21,500 to \$37,760 or from \$15.17 to \$27.51 per square foot of living area. The subject's improvement assessment of \$34,500 or \$25.13 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 from the subject, 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.

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 18, 2025



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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