



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

APPELLANT: Joseph Fleischaker  
DOCKET NO.: 21-55655.001-R-1  
PARCEL NO.: 10-33-323-008-0000

The parties of record before the Property Tax Appeal Board are Joseph Fleischaker, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. 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:** \$13,950  
**IMPR.:** \$39,707  
**TOTAL:** \$53,657

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 2-story dwelling of frame exterior construction with 1,626 square feet of living area. The dwelling is approximately 81 years old. Features of the home include a concrete slab foundation, and a 1-car garage. The property has an approximately 6,200 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis on five equity comparables that are located in the same assessment neighborhood code as the subject property. The comparables are improved with class 2-05, 2-story dwellings of either frame or frame and masonry exterior construction that range in size from 1,478 to 1,787 square feet of living area. The dwellings range in age from 64 to 84 years old. Two comparables have a full unfinished basement and three comparables each have a concrete slab foundation. Each comparable has

either one or two fireplaces. Two comparables have central air conditioning and four comparables each have a 1-car garage. The comparables have improvement assessments that range from \$32,840 to \$36,840 or from \$19.99 to \$22.22 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$34,796 or \$21.40 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 \$53,657. The subject property has an improvement assessment of \$39,707 or \$24.42 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 located in the same assessment neighborhood code as the subject property. The board of review reported that the comparables are improved with class 2-05, 2-story dwellings of masonry exterior construction that range in size from 1,515 to 1,760 square feet of living area. The dwellings range in age from 74 to 82 years old. Three comparables each have a full basement, two with finished area, and comparable #3 has a concrete slab foundation. Each comparable has from a 1-car to a 2-car garage. Three comparables have central air conditioning and comparable #2 has a fireplace. The comparables have improvement assessments that range from \$45,200 to \$48,200 or from \$26.61 to \$29.83 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 record contains nine suggested equity comparables for the Board's consideration. The Board has given less weight to appellant's comparables #3 and #4 as well as board of review's comparables #1, #2 and #4 due to their basements and central air conditioning amenity.

The Board finds the best evidence of assessment equity to be appellant's comparables #1, #2 and #5 along with board of review's comparable #3. The Board finds that these comparables are most similar to the subject in location, design, age, dwelling size and some features. These most similar comparables have improvement assessments ranging from \$32,840 to \$48,200 or from \$19.99 to \$27.45 per square foot of living area. The subject's improvement assessment of \$39,707 or \$24.42 per square foot of living area, falls within the range of the best comparables in this record. Based on this record and after considering adjustments to the best comparables for differences from 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 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.



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Chairman



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Member



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Member



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Member

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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



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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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