



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

APPELLANT: David Cwik  
DOCKET NO.: 21-56770.001-R-1  
PARCEL NO.: 13-19-109-015-0000

The parties of record before the Property Tax Appeal Board are David Cwik, the appellant, by attorney Joanne Elliott, of Elliott & Associates Attorneys, PLLC in Des Plaines; 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:** \$8,671  
**IMPR.:** \$21,461  
**TOTAL:** \$30,132

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 mixed-use building of masonry exterior construction with 3,713 square feet of building area. The building is approximately 65 years old. Features of the building include two full baths, one half bath and a slab foundation. The property has a 3,097 square foot site and is located in Chicago, Jefferson Township, Cook County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on three comparables with a different assessment neighborhood code as the subject and located from 1.83 to 5.55 miles from the subject. The comparables are class 2-12 properties improved with 2-story mixed-use buildings of masonry exterior construction ranging in size from 3,371 to 3,720 square feet of building area. The buildings are either 61 or 96 years old and have partial unfinished basements. Each comparable has three or four full baths and two comparables each have one or two half

baths. Comparable #1 has central air conditioning and comparable #3 has a 1-car garage. The comparables have improvement assessments that range from \$11,715 to \$13,375 or from \$3.47 to \$3.59 per square foot of building area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$30,132. The subject property has an improvement assessment of \$21,461 or \$5.78 per square foot of building area.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables with the same assessment neighborhood code as the subject property. The comparables are class 2-12 properties improved with 1-story or 2-story mixed-use buildings of masonry, frame and masonry, or frame exterior construction ranging in size from 3,048 to 3,850 square feet of building area. The buildings are 60 to 93 years old. Three comparables have partial unfinished basements and one comparable has a slab foundation. Each comparable has three to five full baths and one or two half baths. Comparable #4 has central air conditioning. Comparables #2 and #3 each have a 2-car garage. The comparables have improvement assessments that range from \$18,288 to \$24,272 or from \$5.83 to \$6.40 per square foot of building area. Based on this evidence, the board of review requests 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 seven suggested equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables which have a different assessment neighborhood code as the subject and located over 1.8 miles from the subject. The Board gives less weight to board of review comparable #4 which is a considerably smaller 1-story building when compared to the subject's 2-story building.

The Board finds the best evidence of assessment equity to be board of review comparables #1, #2 and #3 which are similar 2-story buildings located in the same assessment neighborhood code as the subject. However, adjustments for age and features are necessary to make these comparables more equivalent to the subject. Nevertheless, these comparables have improvement assessments ranging from \$20,250 to 24,272 or from \$5.83 to \$6.40 per square foot of building area. The subject's improvement assessment of \$21,461 or \$5.78 per square foot of building area falls at the lower end of the range established by the best comparables in this record on an overall basis and below the range on a per square foot basis.

Based on this record and after considering adjustments to the best comparables for differences when compared to 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 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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