



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

APPELLANT: James J. Maloney, Jr.
DOCKET NO.: 11-23227.001-R-1
PARCEL NO.: 14-28-317-045-0000

The parties of record before the Property Tax Appeal Board are James J. Maloney, Jr., the appellant, by attorney John P. Brady of Thomas M. Tully & Associates in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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: \$43,520
IMPR: \$56,610
TOTAL: \$100,130

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 2011 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 three-story mixed commercial/residential building of masonry construction with 5,100 square feet of building area. The building is approximately 118 years old. Features of the building include four apartments and a partial unfinished basement. The property has a 6,800 square foot site and is located in Chicago, Lakeview

Township, Cook County. The subject is classified as a class 2-12 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 seven equity comparables. The comparables were improved with three-story buildings of masonry construction that ranged in size from 4,050 to 11,024 square feet of building area. The comparables ranged in age from 18 to 123 years old. Each comparable has a basement with one being finished with an apartment. The comparables had from three to six apartments; four comparables had central air conditioning and three comparables had garages. These properties had from 2,854 to 6,963 square feet of land area. The comparables had land assessments ranging from \$17,817 to \$44,562 or \$6.40 per square foot of land area. These comparables had improvement assessments ranging from \$39,625 to \$139,670 or from \$8.87 to \$15.40 per square foot of building area. The subject property has a land assessment of \$43,520 or \$6.40 per square foot of land area. The subject has an improvement assessment of \$81,250 or \$15.93 per square foot of building area.

The appellant's counsel indicated the comparables had total assessments ranging from \$57,890 to \$184,232 reflecting market values ranging from \$123.67 to \$191.42 per square foot of building area, including land. The appellant argued the subject's total assessment of \$124,770 reflects a market value of \$244.65 per square foot of building area, including land. The appellant requested the subject's total assessment be reduced to \$86,700 to reflect a market value of \$170.00 per square foot of building area, including land.

The board of review did not submit its "Board of Review Notes on Appeal" and evidence in support of the assessment.

Conclusion of Law

The appellant contends unequal treatment in the subject's assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. (86 Ill.Admin.Code §1910.63(e)). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant met this burden.

The Board finds the only evidence of assessment inequity in this record to be the comparables submitted by the appellant. The comparables had varying degrees of similarity to the subject property. These comparables had improvement assessments ranging from \$39,625 to \$139,670 or from \$8.87 to \$15.40 per square foot of building area. The subject has an improvement assessment of \$81,250 or \$15.93 per square foot of building area, which is above the range established by the comparables on a per square foot basis. Each of the comparables has a land assessment of \$6.40 per square foot of land area. The subject property has a land assessment of \$6.40 per square foot of land area, which is equivalent to the land assessment of each comparable on a per square foot basis. The board of review did not submit any evidence in support of the assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Board. (86 Ill.Admin.Code §1910.40(a) & §1910.69(a)). Based on this record the Board finds a reduction in the subject's improvement assessment is appropriate.

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.

Ronald R. Crit

Chairman

K. L. Fern

Member

Richard A. Huff

Member

Mark A. Lewis

Member

J. R.

Member

DISSENTING:

C E R T I F I C A T I O N

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: March 20, 2015

A. Portol

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 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 the subsequent year 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.

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.