

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Mary Ann Malarkey  
DOCKET NO.: 02-21085.001-R-1  
PARCEL NO.: 11-18-416-009-0000

The parties of record before the Property Tax Appeal Board are Mary Ann Malarkey, the appellant, by attorney Edward Larkin of the law firm of Larkin & Larkin, of Park Ridge, and the Cook County Board of Review.

The subject property consists of 133-year-old, two-story, single-family residence of frame construction containing 3,528 square feet of living area. The subject features two full baths, a basement, air conditioning and a fireplace. The appellant contends unequal treatment in the improvement assessment as the basis of the appeal. The subject is located in Evanston Township.

The appellant submitted assessment data and descriptions on three properties located in the area of the subject property. One is on the same block as the subject property. The properties are two-story, single-family residences of frame construction, ranging in age from 108 to 123 years. Baths range from two full to three full. Each has a basement and one has a fireplace. The properties range in size from 2,242 to 3,768 square feet and had improvement assessments ranging from \$7.50 to \$11.35 per square foot of living area. The subject improvement is assessed at \$12.37 per square foot of living area. On the basis of this evidence, the appellant requested an assessment for the subject improvement of \$9.58 per square foot living area.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$43,652, was disclosed. In addition, assessment data and descriptions on three properties were presented. The properties range from 111 to 114 years of age. All are of frame construction. Each is located in the same area as the subject and two of the three are

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Based on the facts and exhibits presented, 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: \$ 18,848  
IMPR.: \$ 43,652  
TOTAL: \$ 62,500

Subject only to the State multiplier as applicable.

PTAB/mmg

on the same block as the subject. These properties each feature three full baths, a basement and at least one fireplace. The properties ranged in size from 3,132 to 4,936 square feet and have improvement assessments ranging from \$12.39 to \$14.15 per square foot of living area.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds that a reduction in the assessment of the subject property is not warranted based on the evidence contained in the record.

The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. The Board finds that the appellant has not met its burden.

In this appeal, there were a total of six comparable properties submitted by the parties. The board's comparables one and two and the appellant's comparable three are the most similar to the subject property and have improvement assessments ranging from \$7.50 to \$14.15 per square foot of living area. The subject improvement is assessed at \$12.37 per square foot of living area and is within the range of the most similar comparables. The remaining properties are not as similar in square footage of living area.

Therefore, based on a review of the assessment comparables contained in the record, the Property Tax Appeal Board finds that the appellant has not supported the contention of unequal treatment in the assessment process and a reduction in the assessment of the subject property 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.



Chairman



Member



Member



Member



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: December 7, 2007



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.