

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Bogart's Inc.
DOCKET NO.: 03-20102.001-R-1
PARCEL NO.: 28-30-313-008-0000

The parties of record before the Property Tax Appeal Board are Bogart's Inc., the appellant, by attorney Brian P. Liston of Liston & Lafakis, P.C., Chicago, and the Cook County Board of Review.

The subject property consists of a 14,863 square foot parcel improved with a 134-year-old, two-story style multi-family dwelling of masonry construction containing 13,173 square feet of living area and located in Bremen Township, Cook County. The improvement's amenities include two full baths, two half-baths, air-conditioning, and a partial-unfinished basement.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered a spreadsheet detailing three suggested comparable properties located on the same street within one block of the subject and three properties located in close proximity to the subject. The comparables have parcels ranging from 3,050 to 11,579 square feet improved with two-story style multi-family dwellings of frame construction from 78 to 125 years old. Some of the comparable dwellings have basements and some have garages. All have multiple full baths. The comparables range in improvement size from 1,505 to 2,304 square feet of living area. These properties have improvement assessments ranging from \$5.03 to \$7.09 per square foot of living area and land assessments ranging from \$0.39 to \$0.54 per square foot of land area. A copy of the subject's 2003 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment. The land assessment is not at issue.

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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:	\$	12,462
IMPR.:	\$	50,000
TOTAL:	\$	62,462

Subject only to the State multiplier as applicable.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$99,632, or \$7.56 per square foot of living area, was disclosed. In support of the subject's assessment, the board of review offered property characteristic sheets and a spreadsheet partially detailing the subject. Based on this evidence, the board of review requested confirmation of the subject property's assessment.

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 appellant's argument was unequal treatment in the assessment process. 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. After an analysis of the assessment data, the Board finds the appellant has overcome this burden.

The Board finds that the only evidence demonstrating the equity of the subject's improvement assessment was submitted by the appellant. While the appellant's comparable properties differ in size and construction type when compared to the subject, these properties do demonstrate that the subject is inequitably assessed. After considering adjustments and the differences in the appellant's comparables when compared to the subject property, the Board finds the subject's per square foot improvement assessment is not supported by the properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction is 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: April 1, 2008



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.