

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Hermes Leyva
DOCKET NO.: 03-21055.001-R-1
PARCEL NO.: 01-26-205-005-0000

The parties of record before the Property Tax Appeal Board are Hermes Leyva, the appellant, by attorney Rusty Payton of Rusty Payton, P.C., and the Cook County Board of Review.

The subject property is improved with a 4-year old, two-story dwelling of masonry construction containing 3,360 square feet of living area with central air conditioning, a fireplace and a full unfinished basement.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as two-story masonry dwellings that are 17 to 27 years old for consideration. According to a map submitted by the appellant, the comparables are located approximately one to two miles from the subject. The comparables have central air conditioning, a fireplace, full or partial finished or unfinished basements, range in size from 3,366 to 3,764 square feet of living area and have improvement assessments ranging from \$6.92 to \$8.66 per square foot of living area. The subject's improvement assessment is \$11.28 per square foot of living 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" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on two comparable properties located one block from the subject. These properties consist of two-story masonry dwellings that are 10 or 20 years old, contain 3,580 or 3,636 square feet of living area and feature central air conditioning, two fireplaces and full or partial unfinished basements. They have improvement assessments of \$12.34 or \$13.84 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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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:	\$	22,004
IMPR.:	\$	37,904
TOTAL:	\$	59,908

Subject only to the State multiplier as applicable.

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 a reduction in the subject's assessment is not warranted.

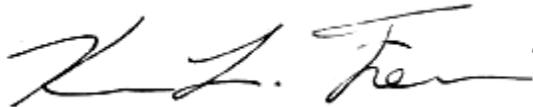
The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds all the comparables submitted by both parties were two-story masonry dwellings like the subject, and were similar to it in size and most features. However, the two comparables submitted by the board of review were most similar to the subject in location. For this reason, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments of \$12.34 and \$13.84 per square foot of living area and fall above the subject's improvement assessment of \$11.28 per square foot of living area. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the subject's assessment 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

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 5, 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.