

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Fred Margulies
DOCKET NO.: 03-21214.001-R-1
PARCEL NO.: 05-06-404-037-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Fred Margulies, the appellant, by attorney David Bass of the law firm of Thompson Coburn Fagel Haber, of Chicago, and the Cook County Board of Review (board).

The subject property consists of 17-year-old, one-story, single-family residence of masonry construction. The subject features five full baths, air conditioning, one fireplace and a three-car garage. The appellant contends unequal treatment in the improvement assessment as the basis of the appeal. The subject is located in New Trier Township.

There exists a dispute of the subject's correct square footage. The board submitted evidence, via computer data, that the subject is 7,383 square feet of living area. The appellant submitted a floor plan from an appraisal taken of the subject, indicating the correct size as 5,422 square feet of living area. The PTAB finds that the best evidence of the subject's size is the room by room measurements provided on the floor plan. Therefore, for purposes of this appeal, the subject contains 5,422 square feet of living area.

The appellant submitted assessment data and descriptions on four properties located within the same neighborhood of the subject property. The appellant also submitted photos of the subject and the comparables along with assessor's website printouts. The properties are each one-story or one and one half-story, single-family residences of masonry or stucco construction, ranging in age from 32 to 71 years. These properties contain: three to four full baths; air conditioning; three have basements; three to four fireplaces; and two or three car garages. They range in size from 4,097 to 5,544 square feet of living area.

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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: \$ 175,947
IMPR.: \$ 123,296
TOTAL: \$ 299,243

Subject only to the State multiplier as applicable.

PTAB/mmg

The properties have improvement assessments ranging from \$12.77 to \$17.60 per square foot of living area. The subject improvement is assessed at \$33.91 per square foot of living area. On the basis of this evidence, the appellant requested a reduction in the assessment for the subject improvement of \$123,296 or \$22.74 per square foot of living area.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$183,878, was disclosed. In addition, assessment data and descriptions on three properties were presented. They are each one-story, single-family residences of masonry or frame or stucco construction located in the same area as the subject. The properties range from 26 to 78 years of age. These properties contain: three to four full baths; one to two fireplaces; two have air conditioning; two have a basement and each has a garage.

The properties range from 2,311 to 4,092 square feet of living area and have improvement assessments ranging from \$26.19 to \$39.88 per square foot of living area. On the basis of this evidence, the board requested confirmation of the subject'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 Board further finds that a reduction in the assessment of the subject property is 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 met its burden.

In this appeal, there were a total of seven comparable properties submitted by the parties. The appellant's comparables 1, 3 and 4 are the most similar to the subject property. These three properties are similar in living area and amenities. The properties found most similar range from \$12.77 to \$17.60 per square foot of living area. The subject is assessed at \$33.91 per square foot of living area and is above the range of the properties found most similar. The remaining properties are not as similar in square footage of living area or amenities.

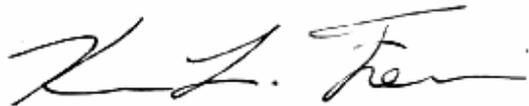
Therefore, based on a review of the record, the Property Tax Appeal Board finds that the appellant has supported the

contention of unequal treatment in the assessment process and a reduction in the assessment of the subject property 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: 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.