

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: James Bonner
DOCKET NO.: 03-23696.001-R-1
PARCEL NO.: 19-31-100-022-0000

The parties of record before the Property Tax Appeal Board (PTAB) are James Bonner, the appellant, by attorney Arnold G. Siegel of Chicago and the Cook County Board of Review.

The subject property consists of a 43-year-old, two-story, building of frame construction containing five apartments and one commercial unit with a total of 5,880 square feet of building area and located in Stickney Township, Cook County. The building includes three bathrooms and two half baths, a partial basement and a one-car garage.

The appellant, through counsel, submitted evidence before the PTAB claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered three suggested comparable properties located within one mile of the subject. These properties consist of two-story, buildings containing three or four apartments and one commercial unit each. They are of masonry construction and range in age from 36 to 43 years. The comparables include one, two or three bathrooms and half baths and all have partial basements. The comparables contain between 4,775 and 6,450 square feet of living area and have improvement assessments ranging from \$25,744 to \$38,781 or from \$5.39 to \$6.01 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$60,569, or \$7.97 per square foot of living area, was disclosed. In support of the subject's assessment, the board of review offered three suggested comparable properties located within a mile of the subject. The comparables consist of two-story, three, four, or six-unit buildings of masonry construction. None

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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: \$13,726
IMPR. \$41,274
TOTAL: \$55,000

Subject only to the State multiplier as applicable.

PTAB/TMcG.

of the comparables contained commercial units. The comparables range in age from 31 to 37 years and have partial basements. They have one or two bathrooms with half baths, partial basements and no garages. The comparable properties range in size from 2,100 to 6,720 square feet of living area with improvement assessments ranging from \$25,016 to \$61,600 or from \$8.99 to \$11.91 per square foot of living area. 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 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 PTAB finds the appellant's three comparables are similar to the subject but do require adjustments for differences in living area. These properties have improvement assessments ranging from \$5.39 to \$6.01 per square foot of living area. The subject's per square foot improvement assessment of \$7.97 is above this range of properties. The PTAB gives less weight to the board's comparables because they do not include commercial units and differ greatly in building area. After considering the differences in the suggested comparables when compared to the subject property, the PTAB finds the evidence is sufficient to effect a change in the subject's assessment.

As a result of this analysis, the PTAB finds the appellant did adequately demonstrate that the subject apartment building 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: December 21, 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.