

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: George Schwertfeger  
DOCKET NO.: 03-23812.001-R-1  
PARCEL NO.: 14-07-104-018

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are George Schwertfeger, the appellant, by attorney Michael Elliott with the law firm of Elliott and Associates in Des Plaines and the Cook County Board of Review.

The subject property consists of a 10,025 square foot parcel of land containing a 105-year old, two-story, masonry, multi-family residence. This improvement contains 2,992 square feet of living area, two baths, and a full, unfinished basement. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the improvement as the basis of this appeal.

In support of this argument, the appellant submitted assessment data and descriptions of four properties suggested as comparable to the subject. The data of the suggested comparables reflects that the properties are located within three blocks of the subject and are improved with a two-story, masonry or frame, multi-family dwelling with between three baths. The improvements range: in age from 76 to 115 years; in size from 2,929 to 3,833 square feet of living area; and in improvement assessments from \$10.42 to \$12.24 per square foot of living area. The properties contain a partial or full basement with three finished and, for two properties, one or two fireplaces. Based upon this analysis,

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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: \$ 7,619  
IMPR.: \$62,766  
TOTAL: \$70,385

Subject only to the State multiplier as applicable.

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the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$62,766. The board also submitted copies of the property characteristic printouts (PCP) for the subject. This data shows that there are three properties located on the Property Index Number (PIN) that is under appeal. The improvement that is the subject of this appeal has an improvement assessment of \$10,465, or \$3.50 per square foot of living area. The board of review also included the PCP for four suggested comparables with all the properties located within the subject's neighborhood. The board's properties contain a two-story, masonry or frame, multi-family dwelling with three baths. The improvements range: in age from 76 to 105 years; in size from 2,929 to 3,923 square feet of living area; and in improvement assessments from \$10.42 to \$12.24 per square foot of living area. The properties contain a full basement with three finished and one, two or three fireplaces. The board of review's comparables #1, #2, and #3 are also the appellant's comparables #1 and #2 and #3. In addition, the board submitted copies of its file from the board of review's level appeal. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants 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, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. Property Tax Appeal Board Rule 1910.65(b). Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented, the PTAB concludes that the appellant has not met this burden and that a reduction is not warranted.

Both parties presented assessment data on a total of five equity comparables. The PTAB finds the appellant's comparables #1 and #2 and the board of review's comparables #1, #2 and #4 are the

most similar to the subject. These three comparables contain a two-story, frame, multi-family dwelling located within the subject's neighborhood. The improvements range: in age from 76 to 105 years; in size from 2,929 to 3,327 square feet of living area and in improvement assessments from \$10.71 to \$12.24 per square foot of living area. In comparison, the subject improvement assessment of \$3.50 per square foot of living area falls below the range established by these comparables. The PTAB accorded less weight to the remaining properties due to a disparity in size.

As a result of this analysis, the PTAB further finds that the appellant has not adequately demonstrated that the subject's improvement was inequitably assessed by clear and convincing evidence and that a reduction is not warranted.

This is a final administrative decision of the Property Tax Appeal Board are 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: September 28, 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.