

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: D. Peterson
DOCKET NO.: 03-25857.001-C-1
PARCEL NO.: 14-30-106-095-1001

The parties of record before the Property Tax Appeal Board are D. Peterson, the appellant, by attorney Edward P. Larkin of Park Ridge, and the Cook County Board of Review.

The subject property consists of a five-year-old, first floor, class 5-99, commercial condominium unit situated on a 3,670 square foot site. The subject is located in Lake View Township, Cook County.

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's attorney submitted a spreadsheet with four, class 5-99, commercial units located on the same street and within three blocks of the subject. However, the four suggested comparables are located outside the subject's neighborhood code. The comparables have total assessments ranging from \$4,520 to \$37,447 per unit and are situated on lots ranging in size from 3,125 to 6,000 square feet. The appellant's evidence disclosed that the subject as well as suggested comparables one and three enjoy partial assessments. In addition, the appellant submitted a three-page brief, an authenticity affidavit, Cook County Assessor's Internet Property Search Results for the subject and the suggested comparables and a copy of the board of review's decision. Based on the evidence presented, the appellant requested that the subject's total assessment be reduced to \$25,482.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total final assessment of

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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: \$ 6,973
IMPR.: \$ 51,026
TOTAL: \$ 57,999

Subject only to the State multiplier as applicable.

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\$57,999. The board of review also submitted a memorandum from the county assessor's office, five COSTAR Comps service sheets as well as ancillary documents. The assessor's memorandum stated that the subject's 2003 assessed value of \$57,999 yielded a market value of \$152,629 for the subject.

The board submitted Comps service sheets for five commercial condo units located in the subject's market area. These properties sold from February 2001 through July 2003 for prices ranging from \$275,000 to \$385,000 or from \$104.64 to \$192.60 per square foot. The four suggested comparables are improved with two-story or four-story, masonry constructed buildings including commercial units that range in age from one to 113 years and in size from 2,000 to 2,750 square feet of building area. Based on the evidence presented, 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 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 failed to overcome this burden.

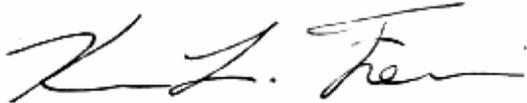
The appellant submitted as evidence a total of four commercial condominium properties as suggested comparables to the subject. The Property Tax Appeal Board finds the evidence lacks the descriptive details necessary to establish a basis for comparative analysis. The foundation for a comparative analysis would necessitate selected evidence of percent of ownership, size of living area, building type and construction and distinctive amenities. Also, the Board finds that the subject as well as two of the appellant's comparables enjoy partial assessments. In addition, the Board finds the suggested comparables provided by the appellant, although located on the same street and within three blocks of the subject, are located outside the subject's neighborhood code. Therefore, the Board finds the appellant did not provide sufficient evidence to effect a change in the subject's current assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has not adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction 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



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 25, 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.