

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Lorraine Maloy
DOCKET NO.: 03-26076.001-R-1
PARCEL NO.: 14-29-115-040-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Lorraine Maloy, the appellant, by attorney Edward Larkin of Larkin & Larkin, of Park Ridge, and the Cook County Board of Review (board).

The subject property consists of a 80-year-old, two-story, two-unit apartment building of masonry construction containing 2,568 square feet of living area and located in Lakeview Township, Cook County. The apartment property includes two and one half bathrooms, a full basement with apartment and a three-car garage. The subject has the benefit of a 2001 Home Improvement Exemption.

The appellant, through counsel, submitted evidence 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 a block of the subject. These properties consist of two-story, three or four-unit apartment buildings of frame construction and range in age from 112 to 115 years. The comparables include three or four bathrooms and full finished basements. One building has a fireplace and two sites have two-car garages. The comparables contain between 2,100 and 3,436 square feet of living area and have improvement assessments ranging from \$30,987 to \$41,357 or from \$10.66 to \$14.76 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 "Board of Review Notes on Appeal" wherein the subject's total assessment of \$60,212 and improvement assessment of \$42,320, or \$16.48 per square foot of living area, was presented. The subject property contains a Home Improvement Exemption with a partial home improvement assessment. The Home Improvement Exemption's partial assessment of \$8,800 lacks

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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: \$17,892
IMPR. \$42,320
TOTAL: \$60,212

Subject only to the State multiplier as applicable.

PTAB/TMcG.

descriptive information; therefore, this amount will not be included in the subject's improvement assessment. The Board will use an improvement assessment of \$33,520 or \$13.05 per square feet of living area. In support of the subject's assessment, the board of review offered three suggested comparable properties located within a block of the subject. The comparables consist of two-story or one and part two-story, three-unit buildings of frame or frame and masonry construction. The comparables are 115 years old and have full basements, two with apartments. They have three bathrooms, one with air conditioning and two with two-car garages. The comparable properties range in size from 2,576 to 2,725 square feet of living area. The improvement assessments range from \$43,049 to \$44,915 or from \$16.48 to \$17.32 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 failed to overcome this burden.

The PTAB finds both parties submitted a total of six suggested comparables of which all lack basic similarities to the subject due to differences in construction and/or living area and dwelling units. These six properties have improvement assessments ranging from \$10.66 to \$17.32 per square foot of living area. The subject's per square foot improvement assessment of \$13.05 is within this range of properties. The PTAB affords less weight to the comparables because they are less similar to the subject in living area or dwelling units or construction and thus have less influence. After considering much needed adjustments and the differences in both parties' suggested comparables when compared to the subject property, the PTAB finds the evidence is insufficient to effect a change in the subject's assessment.

As a result of this analysis, the PTAB finds the appellant did not adequately demonstrate that the subject apartment building 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

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: October 26, 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.