

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Gina Nikolayevich
DOCKET NO.: 03-28503.001-R-1
04-26576.001-R-1
05-24291.001-R-1
PARCEL NO.: 17-08-116-019

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Gina Nikolayevich, the appellant, by attorney Lisa Marino with the law firm of Marino and Associates in Chicago and the Cook County Board of Review.

The subject property consists of a 3,125 square foot parcel of land containing a 113-year old, frame, two-story, multi-family dwelling. The improvement contains 1,134 square feet of living area and two baths. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the improvement as the basis for this appeal.

The PTAB finds that all three appeals are within the same assessment triennial, involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, under the *Official Rules of the Property Tax Appeal Board, Section 1910.78*, the PTAB consolidates the above appeals.

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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:

<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPROVEMENT</u>	<u>TOTAL</u>
03-28503.001-R-1	17-08-116-019	\$4,800	\$11,620	\$16,420
04-26576.001-R-1	17-08-116-019	\$4,800	\$11,620	\$16,420
05-24291.002-R-1	17-08-116-019	\$4,800	\$11,620	\$16,420

Subject only to the State multiplier as applicable.

PTAB/0427JBV

In support of the equity argument, the appellant submitted assessment data and descriptions on a total of seven properties suggested as comparable to the subject. Black and white photographs of the subject and four of the properties and a brief from the appellant's attorney were also submitted. The data in its entirety reflects that the properties are located within three and one-half miles of the subject and are improved with a two-story, frame or masonry, multi-family dwelling with between one and six baths. The improvements range: in age from 105 to 125 years; in size from 1,260 to 6,690 square feet of living area; and in improvement assessments from \$6.45 to \$9.46 per square foot of living area. Three properties contains a partial or full basement. Based upon this analysis, 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 \$11,620, or \$10.25 per square feet of living area. The board also submitted copies of the property characteristic printouts for the subject as well as a total of 10 suggested comparables located within the subject's neighborhood. The board's properties contain a one or two-story, frame, frame and masonry or masonry, multi-family building with one or two baths. The improvements range: in age from 33 to 132 years; in size from 924 to 1,936 square feet of living area; and in improvement assessments of \$14.92 to \$23.70 per square foot of living area. Seven properties contain a partial or full basement with two finished and, for one property, a fireplace. 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 these appeals.

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,

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the PTAB concludes that the appellant has not met this burden and that a reduction is not warranted.

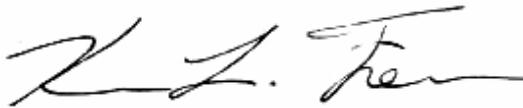
The parties presented assessment data on a total of 17 equity comparables. The PTAB finds the appellant's comparable #7 (#4 from the 2004 and 2005 grid) and the board of review's comparables #5 and #8 (# 1 from the 2004 and #1 and #2 from the 2005 grid) are the comparables most similar to the subject. These comparables contain a two-story, frame, multi-family dwelling located within the subject's neighborhood. The improvements range: in age from 115 to 128 years; in size from 1,152 to 1,200 square feet of living area; and in improvement assessments from \$9.46 to \$21.81 per square foot of living area. In comparison, the subject's improvement assessment of \$10.25 per square foot of living area falls within the range established by these comparables. The PTAB accorded less weight to the remaining comparables due to disparities in age, size, amenities, and/or construction.

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 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:

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"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.