

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Peter Vitogiannis
DOCKET NO.: 03-28586.001-R-1
PARCEL NO.: 17-18-123-038-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Peter Vitogiannis, the appellant, by attorney Brian Liston of the law firm of Liston & Lafakis, of Chicago, and the Cook County Board of Review (board).

The subject property consists of a one-year-old, three-story, multi-family residence of masonry construction containing 4,410 square feet of living area. The subject improvement features three full baths, central air conditioning and a basement. The appellant contends unequal treatment in the improvement assessment process as the basis of the appeal. The subject is located in West Township.

The appellant submitted assessment data and descriptions on three properties located in the area of the subject property. The properties are three-story, multi-family residences of masonry construction that range in age from four to five years and are all located within the same neighborhood as the subject while two of the three are within one block of the subject. These properties contain the following amenities: three to six full baths; each has central air conditioning; and two have a basement. These comparables range in size from 4,752 to 4,975 square feet of living area and have improvement assessments ranging from \$7.42 to \$7.51 per square foot of living area.

The subject improvement is assessed at \$8.03 per square foot of living area. On the basis of this analysis, the appellant requested an assessment for the subject improvement of \$32,855 or \$7.45 per square foot living area.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$35,434,

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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: \$ 1,846
IMPR.: \$ 32,855
TOTAL: \$ 34,701

Subject only to the State multiplier as applicable.

PTAB/mmg

was disclosed. In addition, assessment data and descriptions on three properties were presented. These properties are masonry, three-story, multi-family residences that range in age from four to twelve years of age and are located within the same neighborhood as the subject and contain the following amenities: three to four full baths; one has central air conditioning; and one has a basement. The properties range in size from 3,354 to 3,822 square feet and have improvement assessments ranging from \$8.95 to \$10.59 per square foot of living area. On the basis of this evidence, 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 Board further finds that a reduction in the assessment of the subject property is warranted based on the evidence contained in the record.

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. In this case, the appellant has met its burden.

In this appeal, there were a total of six comparable properties submitted by the parties. The appellant's properties are most similar to the subject property in location, age, amenities and square footage of living area and have improvement assessments ranging from \$7.42 to \$7.51 per square foot of living area. The subject improvement is assessed at \$8.03 per square foot of living area and is above the range of the most similar properties.

Therefore, based on a review of the evidence in the record, the Property Tax Appeal Board finds that the appellant has supported the contention of unequal treatment in the assessment process and a reduction in the assessment of the subject property 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.