

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: 1534 North Claremont LLC
DOCKET NO.: 03-28678.001-R-1 and 03-28678.001-R-1
PARCEL NO.: See below.

The parties of record before the Property Tax Appeal Board are 1534 North Claremont LLC, the appellant, by attorney Brian Liston of Liston & Lafakis, PC, Chicago, and the Cook County Board of Review.

The subject property consists of two parcels each improved with an eight-year-old three-story multi-family dwelling of masonry construction containing 3,702 square feet of living area. Both buildings have three apartments, full unfinished basements, air conditioning, three full baths and three half-baths. 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 offered a spreadsheet detailing three suggested comparable properties located within the same coded assessment neighborhood as the subject. Comparable number one appears to be two interconnected three-story multi-family buildings of masonry construction containing a total of 7,434 square feet of living area. Each improvement has six apartments, air conditioning, and a garage. Each unit also has a fireplace. The remaining two comparables are two-story or three-story masonry constructed multi-family dwellings four or eighty-seven years old. Comparable number two contains 6,927 square feet of living area, six apartments and has a garage, while comparable number three contains 4,035 square feet of living area three apartments and has air conditioning. The comparable improvements have assessments ranging from \$8.08 to \$11.35 per square foot of living area. A copy of the subject's 2003 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

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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:

<u>DOCKET NO.</u>	<u>PARCEL NO.</u>	<u>LAND</u>	<u>IMPR.</u>	<u>TOTAL</u>
03-28678.001-R-1	17-06-100-029-0000	\$6,000	\$33,350	\$39,350
03-28678.002-R-1	17-06-100-030-0000	\$6,000	\$33,350	\$39,350

Subject only to the State multiplier as applicable.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$103,402, or \$13.97 per square foot of building area, was disclosed. In support of the subject's assessment, the board of review offered property characteristic sheets and a spreadsheet detailing three suggested comparable properties. One of the comparables offered is under appeal in the instant cause. The remaining two comparables are frame constructed, two-story multi-family dwellings located within the same coded assessment neighborhood as the subject 115-years-old. These two improvements have two apartments, basements, and fireplaces; one also has air conditioning. Containing 2,080 and 1,812 square feet of living area, the improvements have improvement assessments of \$17.68 and \$18.80 per square foot of living area, respectively. 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 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 overcome this burden.

Initially, the Property Tax Appeal Board finds that as the board of review's comparable number one is under appeal in the instant cause, thus the Board will not utilize this property in its comparability analysis. Next, the Property Tax Appeal Board finds that the board of review's remaining two comparables are not similar to the subject in age, size, construction type and amenities when compared to the subject. Therefore, the Board places diminished weight on the board's comparables.

The appellant submitted three properties as comparable to the subject's improvement. The Board accords primary weight to the appellant's comparables number one and three. These properties are similar in age, construction type, amenities and size when compared to the subject. The appellant's remaining comparable is accorded diminished weight due to its differing age. After considering adjustments and the differences in the comparables when compared to the subject property, the Board finds the subject's per square foot improvement assessment is not supported by the properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject building was inequitably assessed by clear and convincing evidence and a reduction 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: April 1, 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.