

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Eric Johnstone  
DOCKET NO.: 03-29299.001-R-1  
PARCEL NO.: 17-17-318-041-0000

The parties of record before the Property Tax Appeal Board are Eric Johnstone, the appellant, by attorney Sonja R. Johnson from the law firm of Much Shelist in Chicago, and the Cook County Board of Review.

The subject property consists of a 115-year-old, two-story, multi-family dwelling of masonry construction containing 2,156 square feet of living area with two full bathrooms, a full-unfinished basement and a two-car detached garage. The subject is located in West Township, Cook County.

The appellant, through counsel, appeared before the Property Tax Appeal Board claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on three properties suggested as comparable to the subject. The appellant also submitted a three-page brief, photographs and Cook County Assessor's Internet Database sheets for the subject and the suggested comparables, a copy of a plat map and a copy of the board of review's decision. Based on the appellant's documents, the three suggested comparables consist of two-story, multi-family dwellings of masonry construction located within one block of the subject. The improvements range in size from 1,880 to 2,730 square feet of living area and range in age from 105 to 131 years. The comparables contain two or three full bathrooms. Two comparables contain a finished or unfinished basement. The improvement assessments range from \$9.36 to \$9.67 per square foot of living area. Based on the evidence submitted, 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 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: \$ 6,000  
IMPR.: \$ 26,897  
TOTAL: \$ 32,897

Subject only to the State multiplier as applicable.

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The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$32,897. The subject's improvement assessment is \$26,897 or \$12.48 per square foot of living area. The board's evidence disclosed that the subject sold in January 2003 for a price of \$480,000.

Also, the board submitted a list of properties that sold which included the subject's January 2003 sale, however, descriptions of the other sale properties were not provided. In addition, the board of review provided a copy of the subject's property characteristic printout.

After hearing the testimony 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 not overcome this burden.

The appellant submitted three properties suggested as comparable to the subject to corroborate his equity argument. Although the appellant's comparables appear to be similar to the subject in location, age and construction, they differ in improvement size. Two of the appellant's comparables are significantly larger while one of the comparables is much smaller in size of living area as compared to the subject. After considering adjustments for size and the differences in the appellant's suggested comparables when compared to the subject, the Board finds the evidence provided by the appellant to be insufficient to warrant a change in the subject's assessment.

As a final point, the Board finds the subject's sale in January 2003 further supports the subject's current assessment.

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.