

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: James Hogan
DOCKET NO.: 03-29530.001-R-1
PARCEL NO.: 14-33-102-017-0000
TOWNSHIP: North

The parties of record before the Property Tax Appeal Board are James Hogan, the appellant, by attorney Edward Larkin of Larkin & Larkin of Park Ridge and the Cook County Board of Review.

The subject property consists of a 123-year-old, two-story, two-unit apartment building of masonry construction containing 2,190 square feet of living area and located in North Township, Cook County. The subject is designated a Landmark Property. The apartment property includes two bathrooms, a full basement and a two-car garage.

The appellant's attorney appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In addition, the appellant claimed the subject's market value has been adversely affected by the Landmark status. In support of this argument the appellant submitted a copy of Chicago's Landmark Ordinance. In support of the equity argument, the appellant offered three suggested comparable properties located within two blocks of the subject. These properties consist of two-story, two or four-unit apartment buildings of masonry construction and range in age from 94 to 125 years. The comparables include two or four bathrooms, one with a half bath and basements of which one is an apartment. None of the comparables has garage space. The comparables contain between 3,244 and 4,418 square feet of living area and have improvement assessments ranging from \$63,573 to \$71,779 or from \$16.28 to \$19.60 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's 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: \$21,772
IMPR. \$51,123
TOTAL: \$72,895

Subject only to the State multiplier as applicable.

PTAB/TMcG.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$51,123, or \$23.34 per square foot of living area, was disclosed. In support of the subject's assessment, the board of review offered three suggested comparable properties located within a quarter mile of the subject. The comparables consist of two-story, two or three-unit buildings of masonry construction. The comparables range in age from 105 to 120 years and have finished basements, one is an apartment. They have two or three bathrooms, one with a half bath and two have a one or two-car garage. The comparable properties range in size from 1,891 to 2,212 square feet of living area with improvement assessments ranging from \$52,046 to \$59,643 or from \$26.60 to \$29.07 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.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

As to the market value argument, the PTAB finds the appellant has submitted no evidence that the subject's market value has been adversely or favorably affected by the Landmark status. Therefore, the market value argument carries no weight.

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 the board's three comparables are the comparables similar to the subject. These properties have improvement assessments ranging from \$26.60 to \$29.07 per square foot of living area. The subject's per square foot improvement assessment of \$23.34 is below this range of properties. The PTAB affords less weight to the appellant's comparables because they

are much less similar to the subject in living area and thus have less influence. After considering 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.



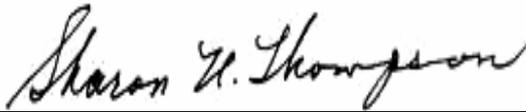
Chairman



Member



Member



Member

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 7, 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.