

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Surendra Deva  
DOCKET NO.: 04-22215.001-R-1  
PARCEL NO.: 10-28-208-002

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Surendra Deva, the appellant, by Attorney Gary H. Smith in Chicago; and the Cook County Board of Review.

The subject property consists of 4,960 square foot parcel improved with a 78-year old, three-story, masonry, multi-family dwelling. The improvement contains 4,890 square feet of living area as well as a full basement, a three-car garage, and four apartments.

At hearing, the appellant argued that there was unequal treatment in the assessment process of the improvement as the basis of this appeal. Further, the parties jointly requested that the PTAB render a decision in this matter based upon the written evidentiary submissions.

The appellant's pleadings included data and descriptions of eight suggested comparables located within the subject's neighborhood. The appellant also submitted a black and white photograph of the subject's improvement. These properties are improved with a three-story, multi-family dwelling of masonry exterior construction. They range: in age from 14 to 80 years; in baths from three full to six full baths; in size from 4,404 to 5,070 square feet of living area; in apartments from two to three; and in improvement assessments from \$8.85 to \$10.50 per square foot. Amenities vary among the properties, while four have a basement and seven have garage area. On the basis of this comparison, the appellant's attorney requested an assessment reduction.

The board of review submitted "Board of Review Notes on Appeal" wherein the board's final assessment decision was presented reflecting an improvement assessment of \$55,332 or \$11.32 per

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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:	\$	4,761
IMPR.:	\$	51,296
TOTAL:	\$	56,057

Subject only to the State multiplier as applicable.

PTAB/KPP

square foot. The board of review also submitted copies of property characteristic printouts for the subject and three suggested comparables. The properties contain a three-story, masonry, multi-family dwelling located within the subject's neighborhood. They range: in baths from three to four; in age from 74 to 75 years; and in size from 3,624 to 4,593 square feet of living area. Amenities include a full basement and a multi-car garage. The improvement assessments range from \$11.51 to \$11.52 per square foot. 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 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 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. The PTAB finds that the appellant has met this burden and that a reduction in the subject's assessment is warranted.

In totality, the parties submitted 11 equity comparables. The PTAB finds that the appellant's comparable #1, #7 and #8 are most similar to the subject property. These three comparables contain a three-story, masonry, multi-family dwelling with three apartments and similar amenities, therein. They range: in age from 77 to 79 years; in size from 4,893 to 5,070 square feet of living area; and in improvement assessments from \$10.30 to \$10.50 per square foot. In comparison, the subject's 4,890 square foot improvement contains an assessment at \$11.32 per square foot of living area, which is above the range established by these comparables.

The PTAB further finds that the parties' remaining properties were accorded diminished weight due to a disparity in improvement size, age, and/or amenities.

On the basis of the evidence submitted, the PTAB finds that the evidence has demonstrated that the subject's improvement is assessed in excess of that which equity dictates. Therefore, the PTAB finds that a reduction in the subject's improvement assessment 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.