

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Dan Brown
DOCKET NO.: 04-23895.001-R-1
PARCEL NO.: 02-07-305-001-0000

The parties of record before the Property Tax Appeal Board are Dan Brown, the appellant, by attorney Arnold G. Siegel, of Chicago, Illinois; and the Cook County Board of Review.

The subject property is improved with a 13-year old, two-story dwelling of masonry exterior construction containing 6,214 square feet of living area. Features of the dwelling include a full basement with a recreation room, four fireplaces, central air conditioning and a three-car attached garage.

The appellant's appeal is based on unequal treatment in the assessment process. In support of this argument the appellant submitted information on six comparable properties described as two-story masonry dwellings that range in age from 6 to 20 years old. The comparables range in size from 5,550 to 6,264 square feet of living area. Each comparable has a full basement, each comparable has central air conditioning, the comparables have from 1 to 3 fireplaces and each comparable has a 3, 3.5 or 4-car garage. The comparables have total assessments that range from \$74,160 to \$132,870 and their improvement assessments range from \$63,560 to \$85,052 or from \$11.01 to \$13.61 per square foot of living area. The subject has a total assessment of \$105,432 and an improvement assessment of \$92,605 or \$14.90 per square foot of living area. The appellant argued the subject's improvement assessment equates to a market value of \$93.14 per square foot of living area which is 21.3% more than the average market value reflected by the improvement assessments for the comparables of \$76.81 per square foot. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to reflect a market value of \$76.81 per square foot resulting in an improvement assessment of \$76,368 or \$12.29 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and 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:

LAND: \$ 12,827
IMPR.: \$ 82,335
TOTAL: \$ 95,162

Subject only to the State multiplier as applicable.

information on three comparable properties consisting of two-story masonry dwellings that ranged in age from 16 to 17 years old. The comparable dwellings ranged in size from 4,308 to 5,412 square feet of living area. Each comparable has a full basement, central air conditioning, two fireplaces and a 3-car attached garage. These properties have total assessments ranging from \$82,371 to \$93,084 and improvement assessments ranging from \$67,965 to \$79,922 or from \$14.77 to \$15.78 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant asserted the board of review's comparables are not as similar in size to the subject as are the appellant's comparables. The appellant also asserted that no proximity to the subject is provided for any of the comparables submitted by the board of review.

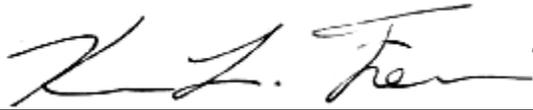
After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the subject's assessment is warranted.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. 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). After an analysis of the assessment data, the Board finds the appellant has met this burden.

The Board finds comparable 4, 5 and 6 submitted by the appellant are most similar to the subject in size, age, and features. These comparables ranged in size from 6,070 to 6,264 square feet of living area and ranged in age from 6 to 16 years old. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments ranging from \$11.01 to \$13.61 per square foot of living area. The subject's improvement assessment of \$14.90 per square foot of living area is above this range. In conclusion, after considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's 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.

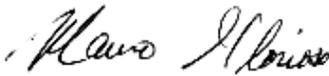
Chairman



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 24, 2009



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.