PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Richard Melman
DOCKET NO.: 04-24937.001-R-1, 05-25297.001-R-1, & 06-25386.001-R-1
PARCEL NO.: 05-29-301-012

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Richard Melman, the appellant, by Attorney Brian Liston with the law firm of Liston & Tsantilis, P.C. in Chicago; and the Cook County Board of Review.

The subject property is improved with a 68-year old, two-story, masonry dwelling containing 11,089 square feet of living area as well as two full baths, an unfinished basement, three fireplaces, and a two-car garage.

After these matters were set for hearing, the appellant's attorney waived the right to hearing requesting that the PTAB render a decision based upon the evidence in the record. There being no objection from the board of review, the PTAB shall hereby render a decision based upon the record.

Further, the PTAB finds that these appeals involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, pursuant to Section 1910.78 of the *rules of the Property Tax Appeal Board (86 Ill.Admin.Code 1910.78),* the PTAB consolidated the above appeals.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted assessment data and descriptions on three comparable properties for consideration in each year's appeal. They are improved with a two-story dwelling of stucco or masonry exterior construction. They range: in baths from five to seven; in fireplaces from one to four; in age from 54 to 79 years; in size from 5,327 to 7,178 square feet of living area; and in improvement assessments from $7.61 to $12.42 per square foot of living area. The subject's improvement assessment is $14.89 per square foot of living area. 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 ***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: See Page 2
IMPR.: See Page 2
TOTAL: See Page 2

Subject only to the State multiplier as applicable.

PTAB/KPP

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 information on a total of nine comparable properties for consideration. They are improved with a two-story, masonry or frame and masonry dwelling with a full, unfinished basement. They range: in baths from 3 to 10; in fireplaces from 2 to 8; in age from 4 to 83 years; in size from 5,453 to 11,630 square feet of living area; and in improvement assessments from $19.60 to $30.09 per square foot of living area. The properties varied from a one-car to four-car garage. Based on this evidence, the board of review 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 PTAB further finds a reduction in the subject's assessment is not 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 PTAB finds the appellant has not met this burden.

In totality, the parties submitted 12 equity suggested comparables. The PTAB finds that comparable #1 submitted by the appellant as well as comparables #2, #3 and #4 submitted by the board of review in tax year 2006 are most similar to the subject in style, size, age and amenities. Due to their similarities to the subject, these four comparables received the most weight in the PTAB's analysis. These comparables had improvement assessments that ranged from $12.25 to $30.09 per square foot of living area. The subject's improvement assessment of $14.89 per square foot of living area is at the low end of this range.

After considering adjustments and the differences in both parties' comparables when compared to the subject, the PTAB finds the subject's per square foot improvement assessment is supported and a reduction in the subject's assessment is not warranted.

DOCKET #	PIN	LAND	IMPROVEMENT	TOTAL
04-24937.001-R-1	05-29-301-012	$172,214	$165,116	$337,329
05-25297.001-R-1	05-29-301-012	$172,214	$165,116	$337,329
06-25386.001-R-1	05-29-301-012	$172,214	$165,116	$337,329

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.