

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Margarita Perez
DOCKET NO.: 04-25602.001-R-1
PARCEL NO.: 09-35-401-025-0000

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

The subject property is improved with a 4-year old, two-story dwelling of masonry exterior construction containing 3,732 square feet of living area. Features of the dwelling include a full unfinished basement, central air conditioning, two fireplaces and a 2-car detached garage.

The appellant's appeal is based on unequal treatment in the assessment process. In support of this argument the appellant submitted information on five comparable properties described as two-story frame, masonry or frame and masonry dwellings that range in age from 1 to 25 years old for consideration. The comparables range in size from 3,322 to 3,761 square feet of living area. The appellant indicated that each of the comparables has a basement, central air conditioning, 1 or 2 fireplaces and either a 2 or 2.5-car garage. The comparables have total assessments that range from \$60,189 to \$80,953 and improvement assessments that range from \$52,253 to \$64,286 or either \$15.73 and \$17.09 per square foot of living area. The subject has a total assessment of \$80,000 and an improvement assessment of \$71,004 or \$19.03 per square foot of living area. The appellant argued the subject's improvement assessment equates to a market value of \$118.91 per square foot of living area which is 18.9% more than the average market value reflected by the improvement assessments for the comparables of \$100.01 per square foot. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to reflect a market value of \$100.01 per square foot resulting in an improvement assessment of \$59,718 or \$16.00 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.

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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:	\$	8,996
IMPR.:	\$	71,004
TOTAL:	\$	80,000

Subject only to the State multiplier as applicable.

The board of review presented descriptions and assessment information on three comparable properties consisting of two-story masonry dwellings that ranged in age from 4 to 7 years old. The comparable dwellings ranged in size from 3,672 to 3,766 square feet of living area. Each comparable has a full unfinished basement, central air conditioning, one fireplace and a 2 or 2.5-car garage. These properties have total assessments ranging from \$85,553 to \$86,589 and improvement assessments ranging from \$76,804 to \$77,740 or from \$20.64 and \$20.96 per square foot of living area. The board of review also indicated the subject property sold in March 2001 for a price of \$800,000. 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 Board 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 Board finds the appellant has not met this burden.

The Board finds comparable 1 and 2 submitted by the appellant and the three comparables submitted by the board of review were most similar to the subject in size, age and features. These five comparables ranged in size from 3,589 to 3,766 square feet of living area and ranged in age from 1 to 7 years old. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had total assessments that ranged from \$79,765 to \$86,589. The subject has a total assessment of \$80,000, which is within the range established by the comparables. These comparables had improvement assessments ranging from \$56,453 to \$77,740 or from \$15.73 to \$20.96 per square foot of living area. The subject's improvement assessment of \$71,004 or \$19.03 per square foot of living area is within this range.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which appears to exist on the basis of the evidence.

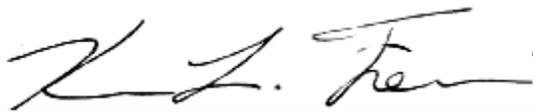
In conclusion, after considering adjustments and the differences in both parties' comparables when compared to the subject, the

Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment 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.



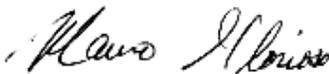
Chairman



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: March 20, 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.