

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Nancy Goldberg
DOCKET NO.: 04-26636.001-R-1
PARCEL NO.: 05-17-111-018-0000

The parties of record before the Property Tax Appeal Board are Nancy Goldberg, the appellant, by attorney Mendy Pozin of Northbrook, and the Cook County Board of Review.

The subject property consists of an 88-year-old, two-story, single-family dwelling of frame construction situated on an 18,450 square foot parcel. At hearing, the parties agreed that the subject contains 3,318 square feet of living area for the purpose of this appeal. Features of the home include four full bathrooms, a full-unfinished basement, air-conditioning, two fireplaces and a two and one-half car attached garage. The subject is located in New Trier Township, Cook County.

The appellant, through counsel, appeared before the Property Tax Appeal Board arguing unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on four properties suggested as comparable to the subject. The appellant also submitted a one-page brief, a copy of the subject's plat of survey, photographs of the subject and the suggested comparables and a copy of the board of review's decision. Based on the appellant's documents, the four suggested comparables consist of two-story, single-family dwellings of stucco, masonry or frame and masonry construction with the same neighborhood code as the subject. Two comparables are located on the same street as the subject. The improvements range in size from 3,339 to 3,505 square feet of living area and range in age from 63 to 99 years. The comparables contain three, three and one-half or four full bathrooms, a partial or full-unfinished basement, from one to four fireplaces and a two-car garage. Two comparables contain

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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:	\$	30,996
IMPR.:	\$	98,004
TOTAL:	\$	129,000

Subject only to the State multiplier as applicable.

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air-conditioning. The improvement assessments range from \$20.87 to \$22.76 per square foot of living area.

Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$132,596. The subject's improvement assessment is \$101,600 or \$30.62 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of stucco or frame and masonry construction with the same neighborhood code as the subject. The improvements range in size from 2,229 to 3,356 square feet of living area and range in age from 77 to 99 years. The comparables contain from two and one-half to five full bathrooms, a full-unfinished basement, one or four fireplaces and a two-car or three-car garage. Three comparables contain air-conditioning. The improvement assessments range from \$26.41 to \$30.33 per square foot of living area.

At hearing, the board's representative indicated that the board of review would rest on the written evidence submissions. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

After hearing the testimony 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 appellant's argument was unequal treatment in the assessment process. 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 overcome this burden.

Both parties presented assessment data on a total of eight equity comparables. These eight properties have improvement assessments ranging from \$20.87 to \$30.33 per square foot of living area. The subject's per square foot improvement assessment of \$30.62 falls above the range established by these properties. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported by the properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction 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.