

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Samuel Kwan  
DOCKET NO.: 04-27400.001-R-1  
PARCEL NO.: 17-20-233-052-0000

The parties of record before the Property Tax Appeal Board are Samuel Kwan, the appellant, by attorney Stephanie Park of Chicago and the Cook County Board of Review.

The subject property consists of a 1,270 square foot parcel improved with a one-year-old, three-story style single-family row house dwelling of masonry construction. Containing 2,077 square feet of living area the subject improvement features two and one-half baths, air conditioning, a fireplace and a two-car garage. The subject is located in West Chicago Township, Cook County.

The appellant, through counsel, appeared before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered a spreadsheet detailing eight suggested comparable properties located in the same coded assessment neighborhood as the subject. These properties consist of one year old, three-story style single-family row house dwellings of masonry construction. The comparables range in size from 2,140 to 2,254 square feet of living area and feature two or three full baths, half-baths, air conditioning, and garages. Additionally, six of the comparables have single fireplaces. The comparables have improvement assessments ranging from \$14.43 to \$21.05 per square foot of living area. A copy of the subject's 2004 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$46,155, or \$22.22 per square foot of living area, was disclosed. In support of the subject's assessment, the board of review offered property characteristic sheets and a spreadsheet detailing three suggested comparable properties located on the same street and block as the subject. The comparables consist of one year old, three-story style single-family row house dwellings of masonry construction. These properties range contain 2,077

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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: \$ 5,080  
IMPR.: \$ 46,155  
TOTAL: \$ 51,235

Subject only to the State multiplier as applicable.

square feet of living area and feature two and one-half baths, air conditioning, single fireplaces and garages. The comparables have improvement assessments ranging from \$22.22 to \$22.23 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject property'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 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 failed to overcome this burden.

The Property Tax Appeal Board finds that the parties submitted eleven properties as comparable to the subject. The Board accords substantial and primary weight to the properties submitted by the board of review. The Board finds that the board of review's properties the most similar to the subject in the record. These properties are the same size; same age; same construction type; located on the same street and block; and feature similar amenities when compared to the subject. The Board accords the appellant's properties substantially less weight. The Board finds the appellants comparables differ to varying degrees in location, size and amenities when compared to the subject. The properties found the most similar to the subject have improvement assessments ranging from \$22.22 to \$22.23 per square foot of living area. The Board finds the subject's per square foot improvement assessment of \$22.22 is practically the same as the properties found the most similar to the subject. Thus, the Board finds the subject's per square foot improvement assessment is supported by the properties found the most similar.

As a result of this analysis, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate that the subject dwelling was inequitably assessed by clear and convincing evidence and no 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.

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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: May 27, 2009



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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.