

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Rita Balin
DOCKET NO.: 04-27978.001-C-1 thru 04-27978.004-C-1
PARCEL NO.: see below

The parties of record before the Property Tax Appeal Board are Rita Balin, the appellant, by attorney Gregory Lafakis of the law firm of Liston & Lafakis of Chicago; and the Cook County Board of Review.

The subject property consists of 33-year-old, two-story commercial building containing 13,678 square feet. The subject sits on a parcel of land that is 18,075 square feet and is located in Jefferson Township.

The appellant appeal is based upon the argument that the subject's assessment is not equitable when compared with other similar properties and that the subject is over assessed. In support of this argument, the appellant submitted assessment data and descriptions of three properties suggested as comparable. Each comparable is located in Jefferson Township. All are designated class 5-92, the same as the subject. The three suggested comparables have building areas that range from 6,000 to 11,350 square feet. Improvement assessments range from \$13.85 to \$17.09 per square foot. The subject improvement is assessed at \$19.10 per square foot. Based upon this evidence, the appellant requested an improvement assessment of \$206,948, or \$15.13, per square foot, and a total assessment of \$267,512.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$321,797 was disclosed. This assessment reflects a market value of \$846,834, or \$61.91 per square foot, based upon the Cook County Real Property Classification Ordinance that sets assessment for class 5A property, such as the subject, at 38% of market value. In support of its assessment, the board of review presented descriptions and assessment information on four comparable properties with an unadjusted sales range of \$70.19 to \$76.09 per

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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:

<u>DOCKET NOS.</u>	<u>PARCEL NOS.</u>	<u>LAND</u>	<u>IMPRV.</u>	<u>TOTAL</u>
04-27978.001-C-1	09-36-205-006	\$12,086	\$90,725	\$102,811
04-27978.002-C-1	09-36-205-007	\$18,489	\$34,548	\$ 53,037
04-27978.003-C-1	09-36-205-011	\$20,774	\$ 1,035	\$ 21,809
04-27978.004-C-1	09-36-205-052	\$ 9,215	\$80,641	\$ 89,856

Subject only to the State multiplier as applicable.

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square foot. 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.

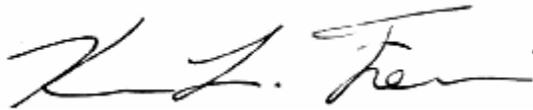
The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data the Board finds a reduction is warranted.

The appellant contends the subject property is not equitably assessed in comparison to other similar properties. The board of review did not address the equity argument but rather addressed a market value argument. Moreover, three of the four comparables submitted by the board are in Park Ridge or Rosemont, while only one is in Chicago, as is the subject. The three comparables submitted by the appellant are all located in the same area as the subject. They are all similar in size, style and construction and possess amenities similar to the subject. Each improvement is assessed lower than the subject improvement. Therefore, the appellant has proven by clear and convincing evidence that the subject is not equitably assessed. As a result, on the basis of this analysis, 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: October 10, 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

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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.