

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Bogdon Konsur  
DOCKET NO.: 05-00862.001-R-1  
PARCEL NO.: 16-27-119-012

The parties of record before the Property Tax Appeal Board are Bogdon Konsur, the appellant, by attorney Mitchell L. Klein of Schiller, Klein & McElroy, P.C., in Chicago, and the Lake County Board of Review.

The subject property consists of a 79 year-old, two-story style brick dwelling that contains 2,702 square feet of living area. Features of the home include central air-conditioning, one fireplace, a 462 square foot garage and a partial unfinished basement.

Through his attorney, the appellant submitted evidence to 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 submitted a grid analysis of three comparable properties. The comparables consist of two-story style brick or frame dwellings that range in age from 49 to 58 years and range in size from 2,415 to 2,576 square feet of living area. Features of the comparables include central air-conditioning, garages that contain from 308 to 484 square feet of building area and full or partial unfinished basements. These properties have improvement assessments ranging from \$97,902 to \$120,411 or from \$38.33 to \$49.86 per square foot of living area. The subject has an improvement assessment of \$137,691 or \$50.96 per square foot of living area. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$167,564.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$195,627 was disclosed. In support of the subject's improvement assessment,

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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 Lake County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	57,936
IMPR.:	\$	135,100
TOTAL:	\$	193,036

Subject only to the State multiplier as applicable.

PTAB/MRT/11/20/07

the board of review submitted property record cards and a grid analysis of three comparable properties located in the same assessor's assigned neighborhood code as the subject. The comparables consist of two-story style brick or brick and frame dwellings that range in age from 37 to 54 years and range in size from 2,415 to 2,536 square feet of living area. Features of the comparables include central air-conditioning, garages that contain from 440 to 528 square feet of building area and full or partial basements, one of which contains 650 square feet of finished area. One comparable has a fireplace. These properties have improvement assessments ranging from \$120,350 to \$123,745 or from \$47.46 to \$50.14 per square foot of living area. Based on this evidence the board of review requested the subject's total assessment be confirmed.

In rebuttal, the appellant argued the board of review's comparables are newer than the subject. The Board notes the appellant's comparables are also newer than the subject.

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 Property Tax Appeal Board further finds that a reduction in the subject property's assessment is warranted. The appellant argued unequal treatment in the assessment process as the basis of the 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 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.

The Board finds the parties submitted six comparables for its consideration. The Board finds none of the comparables was similar in age when compared to the subject. The Board gave less weight to one of the appellant's comparables and two of the board of review's comparables because their frame or brick and frame exteriors differed from the subject's brick exterior. These most representative comparables had improvement assessments ranging from \$38.52 to \$50.14 per square foot of living area. The subject's improvement assessment of \$50.96 per square foot falls above this range. Therefore, the Board finds the evidence in the record supports a reduction in the subject's assessment.

In conclusion, the Board finds the appellant sufficiently established unequal treatment in the assessment process by clear and convincing evidence and the subject property's assessment as established by the board of review is incorrect 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: December 7, 2007



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.