

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Lawrence O'Brien  
DOCKET NO.: 05-20423.001-R-1  
PARCEL NO.: 15-01-408-009-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Lawrence O'Brien, the appellant, by attorney Thomas M. Battista of Rock, Fusco & Associates, LLC of Chicago and the Cook County Board of Review (board).

The subject property consists of an 81-year-old, two-story single-family dwelling of masonry construction containing 2,112 square feet of living area and located in River Forest Township, Cook County. The residence contains two and one half bathrooms, a full basement, a fireplace and a two-car garage.

The appellant's counsel appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered three suggested comparable properties located within three blocks of the subject. These properties consist of two-story single-family dwellings of masonry or frame and masonry construction and range in age from 79 to 81 years. The comparables have two bathrooms with some half baths and full basements, fireplaces; one has air conditioning and each has a two-car garages. The comparables contain between 1,852 and 2,047 square feet of living area and have improvement assessments ranging from \$28,031 to \$42,504 or from \$15.14 to \$20.76 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$43,855, or \$20.76 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered three suggested comparable properties located within one block of the subject. The comparables consist of two-story single-family dwellings of masonry construction and range in age from 80 to 81 years. The

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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: \$14,438  
IMPR. \$43,855  
TOTAL: \$58,293

Subject only to the State multiplier as applicable.

PTAB/TMcG. 5/08

comparables contain two bathrooms with some half baths, full basements, fireplaces and two-car garages. The comparables contain between 2,302 and 2,633 square feet of living area and have improvement assessments of between \$50,526 and \$56,493 or from \$21.46 to \$21.95 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After hearing the testimony and considering the evidence, the PTAB 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 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 PTAB finds the appellant has failed to overcome this burden.

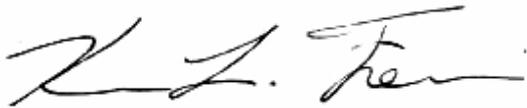
The PTAB finds both parties submitted a total of six suggested comparables that are somewhat similar to the subject but with considerable differences from the subject in construction and living area. These properties have improvement assessments ranging from \$15.14 to \$21.95 per square foot of living area. The subject's per square foot improvement assessment of \$20.76 is within this range of properties. The PTAB finds only the appellant's comparable three at \$16.26 per square foot and the board's comparable one at \$21.95 per square foot are truly similar to the subject. The PTAB gives little weight to the evidence of comparables because they lack sufficient similarity to the subject to influence an assessment change. After considering the differences in the suggested comparables when compared to the subject property, the PTAB finds the evidence is insufficient to effect a change in the subject's current assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has not adequately demonstrated 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.



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 30, 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.