



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Lawrence E. Bult, Jr.
DOCKET NO.: 05-23412.001-R-1
PARCEL NO.: 31-07-405-054-0000

The parties of record before the Property Tax Appeal Board are Lawrence E. Bult, Jr., the appellant(s), by attorney David C. Dunkin, of Arnstein & Lehr of Chicago; and the Cook County Board of Review.

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: \$6,291
IMPR.: \$11,775
TOTAL: \$18,066

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 4,494 square foot parcel of land improved with a 11-year old, two-story, frame and masonry, attached, single-family dwelling containing 1,924 square feet of living area, two and one-half baths, air conditioning, a fireplace, and a full, unfinished basement. The appellant argued unequal treatment in the assessment process as the basis of the appeal.

As to the land, the appellant, via counsel, submitted a grid highlighted as "land pricing uniformity". This grid contains information on a total of four properties suggested as comparable and located within the subject's neighborhood. The parcels range in size from 4,065 to 6,010 square feet and have a land assessment of \$.48 per square foot. This equates to a market value as indicated by the grid of \$3.00 per square foot. A second grid is also included with contains information on three

additional properties located in the subject's complex. These parcels range in size from 7,249 to 9,232 and have a land assessment of \$1.40 per square foot.

As to the improvement, the second grid contains descriptions and assessment information on three properties in the subject's complex. These properties are described as two-story, frame and masonry, attached, single-family dwellings with two and two-half or three baths, air conditioning, a fireplace, and a full, unfinished basement. The properties are seven years old and range in size from 2,197 to 2,338 square feet of living area and in improvement assessments from \$5.50 to \$6.54 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's land assessment of \$6,291 or \$1.40 per square foot and improvement assessment of 417,557 or \$9.13 per square foot of living area were disclosed. In support of the subject's assessment, the board of review presented a memo from Matt Panush, Analyst. The memo indicates that the subject is located in a townhome development and opined that the sales of similar townhomes in the complex is the fairest way to establish the assessment for the subject. The memo indicates 26 sales were considered for a total purchase price of \$6,733,504. \$5,000 per home was deducted from the sale price to arrive at an adjusted sales price of \$6,603,504. This amount was divided by the number of homes sold, 26, to arrive at an estimated market value for the subject of \$253,981. 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 Board further finds a reduction in the subject's assessment is warranted.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. 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). After an analysis of the assessment data, the Board finds the appellant has met this burden.

As to the land, the appellant presented four suggested comparables and three additional comparables. The PTAB finds all seven parcels comparable to the subject. These properties ranged in size from 4,065 to 9,232 square feet and have land assessments from \$.48 to \$1.40 per square foot. In comparison, the subject land assessment of \$1.40 falls within the range of these comparables. Therefore, the PTAB finds that a reduction in the land assessment is not warranted.

As to the improvement, the appellant submitted a total of three properties suggested as comparable to the subject. The PTAB finds these comparables are similar to the subject in design, size, construction and age. These properties are frame and masonry, two-story, attached, single-family dwellings located in the subject's neighborhood. The properties have improvement assessments from \$5.50 to \$6.54 per square foot of living area. In comparison, the subject's improvement assessment of \$9.13 per square foot of living area is above this range. The PTAB gives little weight to the board of reviews evidence as it does not address the appellant's equity argument. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported and a reduction in the subject's assessment 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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: March 23, 2010

Allen Castrovillari

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.