

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: John Kay
DOCKET NO.: 05-24508.001-R-1
PARCEL NO.: 18-07-300-035-0000

The parties of record before the Property Tax Appeal Board are John Kay, the appellant, by attorney Timothy Moran of the law firm of Schmidt Salzman & Moran, Ltd., of Chicago, and the Cook County Board of Review.

The subject property consists of 7-year-old, two-story, residential property of masonry construction. The improvement contains 6,229 square feet of living area and features three full baths, central air conditioning, two fireplaces, a full basement, and a garage. The appellant contends unequal treatment in the assessment process as the basis of the appeal.

The appellant submitted assessment data and descriptions on three properties located in the area of the subject property. The properties were two-story, masonry or stucco, residential properties ranging in age from 49-78 years with amenities similar to the subject containing from 4,884 to 5,735 square feet of living area and assessments ranged from \$21.47 to \$25.15 per square foot of living area. The subject improvement was assessed at \$27.13 per square foot of living area. On the basis of this analysis, the appellant requested a reduction in the assessment for the subject improvement.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. In addition, assessment data and descriptions on three properties were presented located in the same neighborhood as the subject, which contain amenities similar to the subject. These properties were of masonry construction, range in age from four to seven years and contain from 5,373 to 5,990 square feet of living area and assessments range from \$31.51 to \$42.02 per square foot of living area.

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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: \$ 24,600
IMPR.: \$ 189,548
TOTAL: \$ 214,148

Subject only to the State multiplier as applicable.

PTAB/mmg 0508

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 that a reduction in the assessment of the subject property is not warranted based on the evidence contained in the record. 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.

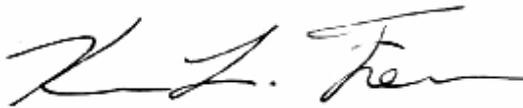
In this appeal, there were a total of six comparable properties submitted by the parties. The PTAB finds that the board's comparable properties are the most similar to the subject. These properties contain similar amenities to the subject in terms of construction, age, baths, basements, and fireplaces. These properties also contain from 5,373 to 5,990 square feet of living area and assessments range from \$31.51 to \$42.02 per square foot of living area. The subject is assessed at \$30.42 per square foot of living area and is below the range of the comparables.

Therefore, based on a review of the assessment comparables contained in the record, the Property Tax Appeal Board finds that the appellant has not supported the contention of unequal treatment in the assessment process and a reduction in the assessment of the subject property is not 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.