PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Oguz Turkyilmaz
DOCKET NO.: 05-24941.001-R-1
PARCEL NO.: 06-26-113-014-0000

The parties of record before the Property Tax Appeal Board are Oguz Turkyilmaz, the appellant, by attorney Julie Realmuto of McCarthy & Duffy, Chicago, and the Cook County Board of Review.

The subject property consists of a 2,636 square foot parcel improved with a ten-year-old, two-story style single-family town house of frame construction. Containing 1,406 square feet of living area, the subject features two and one-half baths, air conditioning and a two-car garage. The subject is located in Hanover Township, Cook County.

The appellant, through counsel, submitted evidence before 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 offered a spreadsheet detailing four suggested comparable properties located in the same coded assessment neighborhood as the subject, one of which is on the same street. These properties consist of 10 year old, two-story style single-family town houses of frame construction. The comparables range in size from 1,406 to 1,547 square feet of living area with amenities such two and one-half baths and air conditioning; one also has a fully finished basement. The comparables have improvement assessments ranging from $4.49 to $6.21 per square foot of living area. A copy of the subject's 2005 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of $13,231, or $9.41 per square foot of living area, was disclosed. In support of the subject's assessment, the board of review offered property characteristic sheets and a spreadsheet detailing four suggested comparable properties located on the same street as the subject. The comparables consist of 10 year

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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:	$	3,690
IMPR.:	$	13,231
TOTAL:	$	16,921

Subject only to the State multiplier as applicable.

PTAB/lbs/09

old, two-story style single-family town houses of frame construction. These properties range in size from 1,406 to 1,547 square feet of living area with one or two and one-half baths; air conditioning and two-car garages. These properties have improvement assessments ranging from $9.26 to $9.41 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject property's assessment.

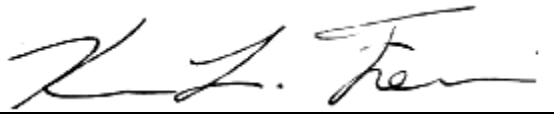
After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who 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 failed to overcome this burden.

The Property Tax Appeal Board finds that the parties submitted properties as comparable to the subject. The Board accords substantial weight to the properties the appellant's comparable numbered three and the board of review's comparables one through three. The Board finds that these improvements are the same size, age, style, and construction type as the subject and are located on the same street as the subject. Further, the Board finds that these properties have amenities commensurate with the subject's amenities. The Board accords the remaining properties substantially less weight. The Board finds that the remaining comparables are superior in size when compared to the subject. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's per square foot improvement assessment of $9.41 is supported by the properties contained in the record.

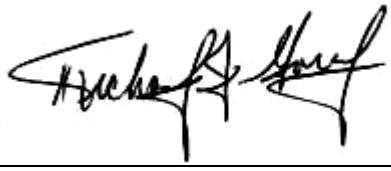
As a result of this analysis, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate that the subject town house was inequitably assessed by clear and convincing evidence and no reduction is warranted.

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



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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: June 19, 2009

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.