



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

APPELLANT: Steven G. Kehle
DOCKET NO.: 05-25115.001-R-1
PARCEL NO.: 18-19-201-042-0000

The parties of record before the Property Tax Appeal Board are Steven G. Kehle, the appellant(s), by attorney Joseph G. Kusper, of Storino Ramello & Durkin of Rosemont; 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: \$ 13,135
IMPR: \$ 55,000
TOTAL: \$ 68,135

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 27-year-old, two-story, single-family dwelling of frame and masonry construction located in Lyons Township, Cook County. Features of the residence include three and one-half bathrooms, two fireplaces, central air-conditioning, a partial-finished basement and a two-car attached garage. The appellant argued that the subject dwelling contains 3,333 square feet of living area and provided an appraisal report, dated May 1, 2004, performed by a certified State of Illinois appraiser. Along with the report was a schematic and sketch calculations indicating the subject improvement contains 3,333 square feet of living area. The

board's documents indicate the subject improvement contains 3,545 square feet of living area.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board arguing unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on four properties suggested as comparable to the subject. Based on the appellant's documents, the four suggested comparables consist of one-story or two-story, single-family dwellings of stucco, frame or frame and masonry construction located within the same survey block as the subject. The improvements range in size from 3,906 to 5,876 square feet of living area and range in age from 24 to 70 years. The comparables contain from two and one-half to four full bathrooms, a partial or full-unfinished basement, air-conditioning, one or two fireplaces and a multi-car attached garage. The improvement assessments range from \$10.71 to \$13.40 per square foot of living area. Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$72,014. In support of the assessment, the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of masonry and frame construction located within two blocks of the subject. The improvements range in size from 3,057 to 3,330 square feet of living area and range in age from 26 to 28 years. The comparables contain two and one-half, three or three and one-half bathrooms, a full-unfinished basement, central air-conditioning, one or two fireplaces and a two-car or three-car attached garage. The improvement assessments range from \$16.54 to \$16.83 per square foot of living area. Based on the evidence presented, 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 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 overcome this burden.

The first issue before the Board is the subject's correct living square footage. The Board finds the appellant substantiated the claim that the subject's living square footage is different than the public record presented by the board of review. The Board finds the appellant provided an appraisal report, dated May 1, 2004, performed by a certified State of Illinois appraiser. The report contained a schematic and sketch calculations indicating the subject improvement contains 3,333 square feet of living area. Consequently, the Board finds the subject dwelling contains 3,333 square feet of living area. The subject's improvement assessment is \$58,879 or \$17.67 per square foot of living area, based on 3,333 square feet.

Next, the Board finds the board of review's comparables two, three and four to be the most similar properties to the subject in the record. These three properties are similar to the subject in improvement size, amenities, age and location and have improvement assessments ranging from \$16.54 to \$16.83 per square foot of living area. The subject's per square foot improvement assessment of \$17.67, based on 3,333 square feet of living area, falls above the range established by these properties. The Board finds the remaining comparables less similar to the subject in improvement size, age, design and/or exterior construction. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported by the most similar properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed 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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mark A. Lewis

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 23, 2009

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.