

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Burdette Frey  
DOCKET NO.: 05-26286.001-R-1  
PARCEL NO.: 29-36-116-012

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Burdette Frey, the appellant, by Attorney Rusty Payton in Chicago; and the Cook County Board of Review.

The subject property consists of an 8,750 square foot parcel of land containing an 18-year old, multi-level, frame and masonry, single-family residence. This improvement contains 1,390 square feet of living area, two full and one half-bathroom, partial basement, air conditioning, one fireplace, and a two-car garage. The appellant argued via counsel that there was unequal treatment in the assessment process of the improvement as the basis of this appeal.

In support of the equity argument, the appellant submitted assessment data and descriptions of four properties suggested as comparable to the subject. Black and white photographs of the subject and these properties were submitted as well as an area map depicting the properties' proximity to the subject. The data in its entirety reflects that the properties are located within the subject's neighborhood and are improved with a multi-level, frame and masonry, single-family dwelling. The improvements range: in age from 20 to 27 years; in size from 1,466 to 1,620 square feet of living area; and in improvement assessments from \$8.07 to \$9.39 per square foot of living area. Based upon this analysis, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$16,953, or \$11.55 per square foot. The board also submitted copies of the property characteristic printouts for the subject as well as four suggested comparables. The board's properties contain a multi-

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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:	\$	4,900
IMPR.:	\$	16,053
TOTAL:	\$	20,953

Subject only to the State multiplier as applicable.

PTAB/KPP

level, masonry and frame, single-family dwelling. The improvements range: in age from 12 to 18 years; in baths from one full and one half to two full and one half-baths; in size from 1,305 to 1,383 square feet of living area; and in improvement assessments from \$11.59 to \$11.98 per square foot of living area. Amenities include basement area, air conditioning, and a two-car garage, while three properties also contain a fireplace. In addition, the board submitted copies of its file from the board of review's level appeal. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants 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, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. *Property Tax Appeal Board Rule 1910.65(b)*. Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960).

Both parties presented assessment data on a total of eight equity comparables. The PTAB finds that the board of review's comparables are similar to the subject. These four comparables contain a multi-level, masonry and frame, single-family dwelling. The improvements range: in age from 12 to 18 years; in baths from one full and one half to two full and one half-baths; in size from 1,305 to 1,383 square feet of living area; and in improvement assessments from \$11.59 to \$11.98 per square foot of living area. In comparison, the subject's improvement assessment of \$11.55 per square foot of living area falls below the range established by these comparables. The PTAB accorded less weight to the appellant's properties due to a disparity in improvement age and size.

Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence. For the foregoing reasons, the PTAB finds that the appellant has not proven by clear and convincing evidence that the subject property is inequitably assessed. Therefore, the PTAB further

finds that the subject's assessment is correct 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.