

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Sheldon Leibowitz
DOCKET NO.: 05-26728.001-R-1
PARCEL NO.: 05-27-414-002

The parties of record before the Property Tax Appeal Board are Sheldon Leibowitz, the appellant, by attorney Adam Bossov in Chicago; and the Cook County Board of Review.

The subject property consists of a 28,800 square foot parcel of land improved with a 47-year old, two-story, frame and masonry, single-family dwelling containing 5,250 square feet of living area, six and one-half baths, one fireplace, air conditioning, and a full, finished basement. The appellant argued unequal treatment in the assessment process as the basis of the appeal.

In support of the equity argument, the appellant, via counsel, submitted information on a total of 16 properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, masonry, stucco or frame and masonry, single-family dwellings with between three and one-half and six and one-half baths, one and five fireplaces and, for two properties, a finished basement. The properties range: in age from eight to 104 years; in size from 5,064 to 9,751 square feet of living area; and in improvement assessments from \$15.34 to \$20.41 per square foot of living area. 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 improvement assessment of \$168,000 or \$32.00 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on three properties suggested as comparable located on the same street as the subject. The properties consist of two-story, masonry, stucco or frame and masonry, single-family dwellings with three and two-half, four or four and two-half baths, one, two or three fireplaces, air conditioning, and a partial or full basement with two finished. The properties range: in age from 10 to 82 years; in size from 5,391 to 8,282 square feet of living area; and in improvement assessments from \$36.22 to \$48.40 per square foot of

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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:	\$	70,272
IMPR.:	\$	168,000
TOTAL:	\$	238,272

Subject only to the State multiplier as applicable.

living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted photographs of the suggested comparables and a letter arguing that the properties were more desirable than the subject.

At hearing, the appellant's attorney argued that the subject property's neighborhood code is distinct to properties in a close proximity to Lake Michigan by being located on or have a view of the Lake.

In response to questions regarding the condition, the board of review's representative could not explain the change in condition from average to deluxe. The appellant's attorney argued that no changes were made to the property over the years in question.

After reviewing the record and considering the testimony, 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 not 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 not met this burden.

The parties submitted a total of 19 properties suggested as comparable to the subject. The PTAB finds the appellant's comparables #1, #3, #10, and #11 and the board of review's comparables #2 and #3 from are the most similar to the subject in design, size, construction, and age. These properties are masonry or frame and masonry, two-story, single-family dwellings located in the subject's neighborhood. The properties range: in age from 36 to 82 years; in size from 5,064 to 5,458 square feet of living area and in improvement assessments from \$15.00 to \$42.00 per square foot of living area. In comparison, the subject's improvement assessment of \$32.00 per square foot of living area is within the range of comparables. 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 supported and a reduction in the subject's assessment 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.



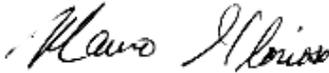
Chairman



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: 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.