



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

APPELLANT: Doris Sternberg
DOCKET NO.: 05-26837.001-R-1
PARCEL NO.: 05-08-303-003-0000

The parties of record before the Property Tax Appeal Board are Doris Sternberg, the appellant(s), by attorney Patrick J. Cullerton, of Thompson Coburn LLP in Chicago; 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: \$63,168
IMPR.: \$85,633
TOTAL: \$148,801

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 33,600 square foot parcel of land improved with a 41-year old, two-story, frame and masonry, single-family dwelling containing 4,507 square feet of living area, four baths, air conditioning, a fireplace, and a partial, 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 seven properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, frame and masonry or masonry, single-family dwellings with two and one-half to four baths, air conditioning, one to three fireplaces, and, a partial or full basement with four finished. The properties range: in age from 19 to 61 years; in size from 3,845 to 4,981 square feet of living area; and in improvement assessments from \$18.56 to \$24.14 per square foot of living area. In addition, the appellant submitted; colored photographs and a map of the subject property

and suggested comparables. 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 \$144,224 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 a total of three properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, masonry, single-family dwellings with three and two-half to five baths, air conditioning, one to three fireplaces, and a partial or full basement with one finished. The properties range: in age from 40 to 50 years; in size from 4,180 to 4,908 square feet of living area; and in improvement assessment from \$34.15 to \$39.60 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney asserted that the county assessor changed neighborhood codes for these properties over the years. To support the location for the appellant's suggested comparables the appellant submitted Appellant's Exhibits #5 and #6, colored maps indicating the location of all the properties and their proximity to the subject; the map for the board of review's comparables are for those submitted in the 2006 appeal.

The board of review's representative, Michael LaCalamita, rested on the evidence submitted.

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 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 met this burden.

The parties submitted a total of 10 properties suggested as comparable to the subject. The PTAB finds the appellant's comparables #1, #2, and #3 are the most similar to the subject in size, design, exterior construction, and amenities. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These properties are frame and masonry, two-story, single-family dwellings located within 1.02 miles of the subject. The properties range: in age from 19 to 61 years; in size from 4,003 to 4,981 square feet of living area; and in improvement assessment from \$18.56 to \$19.92 per square foot of living area. In comparison, the subject's improvement

assessment of \$32.00 per square foot of living area is above the range of these comparables. The remaining comparables were given less weight due to disparities in size or exterior construction. 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 not supported and a reduction in the subject's assessment 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. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

Member

Shawn R. Lerski

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: August 20, 2010

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.