

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Kathryn Acosta
DOCKET NO.: 06-20028.001-R-1
PARCEL NO.: 16-31-104-013-0000

The parties of record before the Property Tax Appeal Board are Kathryn Acosta, the appellant, by attorney Rusty Payton of the Law Offices of Rusty Payton, P.C, Chicago, Illinois; and the Cook County Board of Review.

The subject property is improved with a one and one-half story dwelling of frame construction containing 1,315 square feet of living area. The dwelling is 95 years old. Features of the home include a full unfinished basement, central air conditioning and a two-car detached garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties consisting of a one-story dwelling and three, one and one-half story dwellings. The dwellings were of frame construction and ranged in age from 82 to 113 years old. The comparable dwellings range in size from 1,400 to 1,610 square feet of living area. Each of the comparables was described as having a basement. The comparables have total assessments ranging from \$22,570 to \$25,214 and improvement assessments ranging from \$11.73 to \$12.43 per square foot of living area. The subject's improvement assessment is \$14.44 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 final assessment totaling \$23,146 was disclosed. The board of review presented descriptions and assessment information on two comparable properties consisting of a one-story dwelling and a 1.5 to 1.9-story dwelling. The dwellings were of frame or frame and masonry construction that were 80 and 114 years old. The dwellings contained 1,090 and 1,340 square feet of living area. Each comparable had a basement, one comparable central air conditioning and each had a two-car garage. These properties have improvement assessments 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:	\$	4,153
IMPR.:	\$	18,993
TOTAL:	\$	23,146

Subject only to the State multiplier as applicable.

\$16.41 and \$14.71 per square foot of living area, respectively. The board of review also indicated the subject property was purchased in March 2005 for a price of \$277,500. Based on this evidence, 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 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 Board finds the comparables 1, 3 and 4 submitted by the appellant were most similar to the subject in style and exterior construction. The Board finds, however, that two of the comparables were older than the subject, none had central air conditioning like the subject and the appellant did not disclose whether these properties had garages. As a result, the Board finds these properties inferior to the subject improvement. These comparables had improvement assessments that ranged from \$11.73 to \$12.43 per square foot of living area. The subject's improvement assessment of \$14.44 per square foot of living area is above this range but justified based on its superior features. Additionally, the Board finds the purchase price demonstrates the subject's assessment is not excessive in relation to its market value. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable 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.

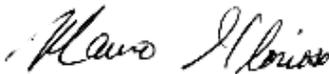


Chairman



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: August 24, 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.