



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

APPELLANT: Rich Herrick
DOCKET NO.: 06-21084.001-R-1
PARCEL NO.: 11-07-104-019-0000

The parties of record before the Property Tax Appeal Board are Rich Herrick, the appellant(s), by attorney Arnold G. Siegel 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: \$ 10,713
IMPR.: \$ 60,995
TOTAL: \$ 71,708

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 5,952 square foot parcel improved with an 83-year-old, two-story, single-family dwelling of masonry construction containing 3,112 square feet of living area and located in Evanston Township, Cook County. Features of the residence include three and one-half bathrooms, a full-unfinished basement, a fireplace and a two-car detached garage.

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 five properties suggested as comparable to the subject. The appellant also submitted a two-page brief, Cook County Assessor's Internet Database sheets for the subject and the suggested comparables and a copy of the board of review's decision. Based on the appellant's documents, the five suggested comparables consist of two-story, single-family dwellings of stucco, masonry or frame and masonry construction located within one block of the subject. Two of the comparables

are located on the same street as the subject. The improvements range in size from 3,181 to 3,432 square feet of living area and range in age from 80 to 93 years. The comparables contain from two to three and one-half bathrooms, a finished or unfinished basement and a one-car or two-car garage. Two comparables have air-conditioning and three comparables contain a fireplace. The improvement assessments range from \$10.67 to \$19.60 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 \$84,787. The subject's improvement assessment is \$74,074 or \$23.80 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on one property suggested as comparable to the subject. The suggested comparable is improved with a two-story, 94-year-old, 3,012 square foot, single-family dwelling of masonry construction with the same neighborhood code as the subject. The comparable contains four and one-half bathrooms, a full-finished basement, two fireplaces and a two-car detached garage. The improvement assessment is \$72,569 or \$24.09 per square foot of living area. In addition, the board submitted copies of documentation from the board of review level complaint file. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney submitted a one-page letter arguing that the board of review provided only one comparable, whereas, the appellant submitted five comparable properties located within one block of the subject.

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 Board finds the appellant's comparables similar to the subject in improvement size, amenities, design and age and located within one block of the subject. These five properties have improvement assessments ranging from \$10.67 to \$19.60 per square foot of living area. The subject's per square foot improvement assessment of \$23.80 falls above the range established by these properties. However, the Board finds the appellant's comparables inferior overall in exterior construction as compared to the subject. The Board further finds the

appellant's comparable three very similar to the subject in most respects. The Board finds the board of review only provided one comparable property which differs from the subject in location. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's improvement assessment is inequitable 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

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerski

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 21, 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.