



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

APPELLANT: 1620 West Estes, LLC
DOCKET NO.: 06-21345.001-R-1
PARCEL NO.: 11-31-203-017-0000

The parties of record before the Property Tax Appeal Board are 1620 West Estes, LLC, 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 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: \$31,416
IMPR.: \$0
TOTAL: \$31,416

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 6,800 square foot parcel of vacant land, classified as 1-00 vacant land as designated by the county assessor. 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 assessment information on a total of nine lots suggested as comparable and located within the subject's neighborhood. All of these properties are class 2 lots, as designated by the county assessor, improved with a residential single-family or multi-family dwelling. These properties range in lot size from 5,000 to 7,040 square feet and have land assessment from \$1.38 to \$1.65 per square foot. These assessed values reflect a market value from \$8.64 to 10.31 per square foot.

The appellant also included a brief which asserted that all the properties, including the subject, are located close to each other and should be valued similarly. The appellant argued that

the suggested comparables are all zoned similarly to the subject, have the same highest and best use, and, therefore, should be assessed at the same market value. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's land assessment of \$31,416 was disclosed. This assessment reflects a market value of \$21.00 per square foot. In support of the subject's assessment, the board of review submitted sales information on four properties in the subject's township. These properties sold from January 2004 through June 2004 for prices ranging from \$40.86 to \$66.67 per square foot. In addition the board presented assessment information on four suggested comparables located on the subject's street within several blocks. The lots are all vacant and classified as 1-00 by the county assessor. They range in size from 1,324 to 8,211 square feet and have assessed values that reflect a market value of \$21.00 per square foot. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney submitted a brief asserting the board of review's sales comparables are not similar to the subject. In addition, the brief argues that the subject received a class change and reduction in 2007 and this value should apply to the 2006 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 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 13 properties suggested as comparable to the subject for equity analysis. The PTAB is not persuaded by the appellant's argument that the market values of the different classified parcels as established by the assessor show the subject is over assessed. The appellant submitted suggested comparables that are improved lots. While the parcels have the same zoning, as improved, they differ from a vacant lot and thus, differ in market value.

The PTAB finds the board of review's equity comparables most similar to the subject. These properties are located on the same street and within several blocks of the subject and are all vacant parcels classified as 1-00 vacant lots. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. The properties range in size

from 1,324 to 8,211 square feet and have an assessed value that reflects a market value of \$21.00 per square foot. In comparison, the subject's land assessment reflects a market value of \$21.00 per square foot which is the same as the 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 land assessment is supported and a reduction in the subject's assessment is not warranted.

In addition, the PTAB is unpersuaded by the appellant's rebuttal argument that the 2007 reduction for the subject property should apply to the 2006 assessment year. The appellant cited case law to support this argument. Hoyne Savings & Loan Association v. Hare, 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974)).

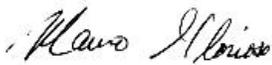
In that decision, the Illinois Supreme Court found of significance the fact the board of review substantially reduced the assessed value of the property under appeal in the secondary subsequent assessment year. Consideration must, of course, be given to any changes in the condition of the property which may have affected the assessed valuation. The PTAB finds Hoyne does not control this instant appeal. The PTAB finds that the 2007 assessment shows an assessed value for an improvement of \$119,252. The PTAB finds the subject's characteristics and classification in 2007 differ significantly from the 2006 assessment year due to the construction of an improvement. Therefore, the PTAB finds that no reduction in the 2006 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.

Chairman



Member



Member



Member



Acting 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: November 18, 2011



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.