

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Kevin Clark
DOCKET NO.: 06-22628.001-C-1
PARCEL NO.: 14-20-101-050-1008

The parties of record before the Property Tax Appeal Board are Kevin Clark, the appellant and the Cook County Board of Review.

The subject property consists of a five-year-old, store front, masonry, class 5-99, office condominium unit containing 1,350 square feet and situated on 7,500 square feet of land located in Lakeview Township, Cook County.

The appellant submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered three suggested comparable commercial 5-99 condominium properties located within 500 feet of the subject. The comparables like the subject are part of buildings with a commercial and residential condominium mix. These properties consist of store front office properties of masonry construction and range in age from one to two years. The comparables range in size from 1,200 to 1,300 square feet. The comparables have total assessments ranging from \$19,225 to \$25,091 or from \$16.02 to \$19.30 per square foot of unit area. The appellant testified that the subject has been vacant for a year and six similar properties in the proximate area are for lease. That the subject's current zoning requires that the subject's use is restricted to office use and there is little demand for office space. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" that disclosed the subject's total assessment of \$41,319 which reflects a market value of \$108,734 as factored by the Cook County Ordinance level of 38%. The board submitted evidence in support of its assessed valuation of the subject property. As evidence the board offered eight sales of commercial properties

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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: \$ 4,175
IMPR. \$21,825
TOTAL: \$26,000

Subject only to the State multiplier as applicable.

PTAB/TMcG. 6/08

ranging in age from one to 100 years and ranging in size from 1,100 to 9,476 square feet that occurred between March 2002 and November 2006 for prices ranging from \$252,000 to \$530,000 or from \$40.00 to \$233.33 per square foot of land and building. No analysis and adjustment of the sales data was provided by the board.

In rebuttal the appellant pointed out that the board must have made a location mistake because the board's comparables relate more to his home address than the condominium's address.

After hearing the testimony and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. 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 PTAB finds the appellant has overcome this burden.

The PTAB finds four of the appellant's comparables are quite similar to the subject, especially comparable three. These properties have total assessments ranging from \$16.02 to \$19.30 per square foot of building area. The subject's per square foot total assessment of \$30.61 is above this range of properties. After considering the similarities in the suggested comparables when compared to the subject property, the PTAB finds the evidence submitted is sufficient to cause a change in the subject's assessment.

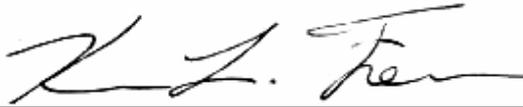
The PTAB gives less weight to the board's sales evidence because it lacks analysis and a supported conclusion of value. The appeal was based on inequity, not comparable sales and one comparable is beyond the assessment date.

As a result of this analysis, the PTAB finds that the appellant has adequately demonstrated that the subject property was inequitably assessed and that 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.



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 27, 2008



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.