



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

APPELLANT: May Vadevoulis
DOCKET NO.: 06-24400.001-R-1
PARCEL NO.: 04-17-421-016-0000

The parties of record before the Property Tax Appeal Board are May Vadevoulis, the appellant(s), by attorney Mitchell L. Klein, of Schiller Klein PC 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: \$32,391
IMPR.: \$0
TOTAL: \$32,391

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 62,291 square foot parcel of vacant land. 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 three properties suggested as comparable and located on the subject's Sidwell block with two properties located on the same street. The properties range in size from 22,000 to 31,240 square feet and in land assessments from \$.05 to \$.082 per square foot. 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 land assessment of \$54,816 or \$.88 per square foot was disclosed. In support of the subject's assessment, the board of review presented the property record cards for 12 properties suggested as comparable and located

within the subject's neighborhood. Three of the properties were also submitted by the appellant. The board's evidence also includes a memo that asserts the appellant is using improved comparables and vacant retention ponds for comparables. The properties range in size from 17,820 to 48,000 square feet and in land assessment from \$.05 to \$2.25 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 letter arguing that the vacant lots presented by the board of review as comparables are located from .8 to 4.97 miles away from the subject property. He also argued that several of these comparables were reduced from \$2.25 per square foot to either \$.55 or \$.83 per square foot.

At hearing, the appellant's attorney reiterated his position that the subject is inequitably assessed based on the comparables submitted especially the comparable located next door to the subject. He also addressed the board of review's comparables in rebuttal and reiterated what was submitted in his letter.

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 12 properties suggested as comparable to the subject. The PTAB finds the appellant's comparables, especially comparables #2, are the most similar to the subject. These properties are located on the subject's block or within .3 miles of the subject with the most similar property located next door. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. The properties range in size from 22,000 to 31,240 square feet and in land assessment from \$.05 to \$.82 per square foot. In comparison, the subject's land assessment of \$.88 per square foot is above the range of these comparables. The remaining comparables were given less weight due to disparities in location. The PTAB gives little weight to the board of review's argument that the appellant's comparables included a retention pond as no evidence was presented to support this and that the other properties were improved lots as the board also

included comparables that were improved lots. 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 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 Morris

Member

Shawn R. Lerbis

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 18, 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.