

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Benita Romano
DOCKET NO.: 05-25486.001-R-1
06-25208.001-R-1
PARCEL NO.: 18-17-311-043

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Benita Romano, the appellant, by attorney Lait Meisler with the law firm of Golan & Christie in Chicago and the Cook County Board of Review.

The subject property consists of a 1,840 square foot parcel of land improved with a seven-year old, one-story, frame and masonry, attached, single-family dwelling. The improvement contains 1,840 square feet of living area, two baths, air conditioning, and a partial, unfinished basement. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the improvement as the basis of this appeal.

The PTAB finds that these appeals are within the same assessment triennial, involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, under the *Official Rules of the Property Tax Appeal Board, Section 1910.78*, the PTAB, without objection from the parties, consolidates the above appeals.

In support of the equity argument, the appellant submitted assessment data and descriptions on a total of eight properties suggested as comparable to the subject. The data in its entirety reflects that the properties are located within the subject's neighborhood and are improved with a two-story, frame and masonry, attached, single-family dwelling with two and one-half

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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:

<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPROV</u>	<u>TOTAL</u>
05-25486.001-R-1	18-17-311-043	\$5,299	\$42,228	\$47,527
06-25208.001-R-1	18-17-311-043	\$5,299	\$42,228	\$47,527

Subject only to the State multiplier as applicable.

PTAB/08712JBV

baths and air conditioning. The properties are all seven years-old, contain 2,114 square feet of living area, and range in improvement assessments from \$19.81 to \$20.57 per square foot of living area. Based upon this analysis, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$42,228, or \$22.95 per square feet of living area. The board also submitted copies of the property characteristic printouts for the subject as well as a total of three suggested comparables located within the subject's neighborhood. The board's properties contain a one-story, frame and masonry, attached single-family dwelling with two baths, air conditioning, and a partial, unfinished basement. The improvements are all seven years-old, contain 1,840 square feet of living area, and have improvement assessments of \$22.95 per square foot of living area. In addition, the board submitted copies of its file from the board of review's level appeal. As a result of its analysis, the board requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued that she did not receive the board of review evidence for the 2005 year, but waived any objections she had in regards to this. She further argued that the subject property is over assessed when compared to similar properties in the subject's neighborhood.

The board of review's representative, Lena Henderson, argued that that the board's suggested comparables were the same as the subject in regards to age, size, style, construction, room count and assessment.

After considering the evidence and reviewing the testimony, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants 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, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. Property Tax Appeal Board Rule 1910.65(b). Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented, the PTAB concludes that the appellant has met this burden and that a reduction is warranted.

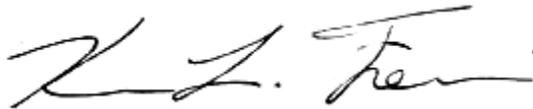
The parties presented assessment data on a total of 11 equity comparables. The PTAB finds the board of review's are the most similar to the subject. These three comparables contain a one-story, frame and masonry, attached, single-family dwelling located within the subject's neighborhood. The improvements are the same as the subject in age, size, design, construction, bathroom count, room count, air conditioning, and basement. The comparables have improvement assessments of \$22.95 per square foot of living area. In comparison, the subject's improvement assessment of \$22.95 per square foot of living area is the same as these comparables. The PTAB accorded less weight to the remaining comparables due to a disparity in size, room count, amenities and/or design.

As a result of this analysis, the PTAB further finds that the appellant has not adequately demonstrated that the subject's improvement was inequitably assessed by clear and convincing evidence and that a reduction 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.



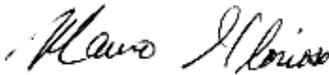
Chairman



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: March 20, 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.