



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

APPELLANT: Peter Diaz
DOCKET NO.: 06-25597.001-R-1
PARCEL NO.: 18-19-306-004-0000

The parties of record before the Property Tax Appeal Board are Peter Diaz, the appellant, by attorney Joseph G. Kusper of Storino, Ramello & Durkin, Rosemont, Illinois; 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: \$ 12,117
IMPR.: \$ 32,571
TOTAL: \$ 44,688

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story single family dwelling of masonry construction that contains 2,239 square feet of living area. The dwelling is 36 years old. Features of the home include a partial basement finished with a recreation room, central air conditioning, two fireplaces and a two-car attached garage. The subject property is located in Burr Ridge, Lyons Township, Cook County.

The appellant contends assessment inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument the appellant submitted descriptions and assessment information on three comparables. The appellant described the comparables as being improved with one-story

single family dwellings of masonry or frame and masonry exterior construction that ranged in size from 1,849 to 2,376 square feet of living area. The comparable dwellings range in age from 39 to 59 years old. The comparables have either a full or partial basement with two being finished. Each comparable has central air conditioning, one fireplace and either a two-car or three-car attached garage. These properties have improvement assessments ranging from \$21,315 to \$30,979 or from \$10.14 to \$13.04 per square foot of living area, rounded. The appellant asserted that the average improvement assessment for these comparables was \$12.01 per square foot of living area. Based on this data the appellant requested the subject's improvement assessment be reduced to \$12.01 per square foot of living area resulting in a revised improvement assessment of \$26,886.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$44,688 was disclosed. The subject has an improvement assessment of \$32,571 or \$14.55 per square foot of living area. To demonstrate the subject dwelling was equitably assessed, the board of review provided descriptions and assessment information on four comparables. The comparables were improved with one-story single family dwellings of masonry construction that ranged in size from 2,061 to 2,360 square feet of living area. The comparables had the same classification code and neighborhood code as the subject property. The dwellings ranged in age from 4 to 42 years old. Each comparable has a full or partial basement with one being unfinished, each comparable has central air conditioning, the comparables have 1 to 3 fireplaces and each comparable has either a 2-car or 3-car attached garage. These properties have improvement assessments ranging from \$30,396 to \$41,121 or from \$14.75 to \$17.42 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's 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 the appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant contends assessment inequity 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 assessments 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 a reduction is not warranted.

The parties to the appeal submitted assessment information on seven comparable properties to support their respective positions. The Board finds those comparables most similar to the subject were appellant's comparable 3 and comparables 1, 2 and 3 submitted by the board of review. These comparables were one story dwellings of masonry or frame and masonry exterior construction similar to the subject in style, age, size and features. These dwellings ranged in size from 2,199 to 2,376 square feet of living area. These comparables have improvement assessments ranging from \$30,979 to \$41,121 or from \$13.04 to \$17.42 per square foot of living area. The subject has an improvement assessment of \$32,571 or \$14.55 per square foot of living area, which is within the range established by the best comparables in the record. Little weight was given the appellant's comparables 1 and 2 and board of review comparable 4 due to the fact that these comparables are significantly different than the subject in age.

For these reasons the Board finds the assessment of the subject property as established by the board of review is correct and no reduction 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. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Harold H. Lewis

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: December 23, 2009

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.