FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Steffan Postaer
DOCKET NO.: 06-25781.001-R-1
PARCEL NO.: 14-08-111-020-0000

The parties of record before the Property Tax Appeal Board are Steffan Postaer, the appellant(s), by attorney Stephanie Park, of Park & Longstreet, P.C. in Rolling Meadows; 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:	$14,876
IMPR.:	$62,691
TOTAL:	$77,567

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 4,612 square foot parcel of land improved with a 108-year old, two-story, frame, single-family dwelling containing 2,192 square feet of living area, one bath, and a full, unfinished basement. The appellant argued unequal treatment in the assessment process as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of 12 properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, masonry, frame or stucco, single-family dwellings with between one and one-half and two and one-half baths, a fireplace for two properties, and, for all the properties, a full basement with one finished. The properties range: in age from 95 to 111 years; in size from 1,902 to 2,146 square feet of living area; and in improvement assessments from $27.40 to $30.58 per square foot of living area.

In addition, the appellant argues that the subject should receive a 50% proration on the improvement assessment because the subject was vacant until June 15, 2006. In support of this, the appellant submitted a copy of an affidavit from the appellant stating the subject was purchased in November 2004 for $615,000 in an arm's length transaction and then not occupied until June 2006. A second affidavit states the property is undergoing extensive rehabilitation and is not in livable condition with the improvement completely unoccupied from November 2003 through June 15, 2006. A third affidavit from a neighbor located near the subject was included which stated that demolition took place in November 2005 which was completed by January 2005 and rehabilitation commenced thereafter until June 2006. A copy of a building permit allowing for the rehabilitation of the existing improvement issued in October 2004, a copy of the warranty deed, and a copy of the settlement statement were also included. 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 improvement assessment of $86,624 or $39.52 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within a quarter of a mile from the subject. The properties are described as two-story, frame, single-family dwellings with one and one-half baths and a full, unfinished basement. The properties range: in age from 98 to 111 years; in size from 1,886 to 1,986 square feet of living area; and in improvement assessments from $26.54 to $29.57 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 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 PTAB finds the appellant has met this burden.

The parties presented a total of 16 properties suggested as comparable to the subject. The PTAB finds the appellant's comparables with the exception of #8 and the board of review's comparables most similar to the subject in size, design, construction and age. The properties are described as two-story, frame or stucco, single-family dwellings. The properties range: in age from 95 to 111 years; in size from 1,886 to 2,146 square feet of living area; and in improvement assessments from $27.40

to $30.58 per square foot of living area. In comparison, the subject's improvement assessment of $39.52 per square foot of living area is above the range of these comparables. Therefore, after considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported and a reduction in the improvement assessment is warranted.

As to the appellant's occupancy argument, the PTAB finds this argument not persuasive. The appellant's affidavit indicates the appellant purchased the property and it remained vacant until the rehabilitation was complete. Therefore, the PTAB finds the appellant failed to prove that the purchase price did not include the condition and vacancy of the property. Therefore, the PTAB finds a further reduction 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

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: January 20, 2012

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.