FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Jose Enriquez
DOCKET NO.: 06-26050.001-R-1
PARCEL NO.: 13-14-207-020-0000

The parties of record before the Property Tax Appeal Board are Jose Enriquez, the appellant, 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 **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:	$ 8,323
IMPR.:	$ 19,176
TOTAL:	$ 27,499

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 598 square feet of living area. The dwelling is 98 years old. Features of the home include a full, unfinished basement and a one and one-half car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as one-story frame dwellings that are between 92 and 102 years old. The comparable dwellings range in size from 748 to 968 square feet of living area. Two of the comparables have concrete slab foundations and one has a full, unfinished basement. One has a fireplace and another has a garage. They are located on the same street as the subject. One is on the same block. The comparables have improvement assessments ranging from $21.86 to $26.27 per square foot of living area. The subject's improvement assessment is $32.07 per square foot of living area. 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 final assessment was disclosed.

The board of review presented descriptions and assessment information on three comparable properties consisting of one-story frame dwellings that are between 84 and 113 years old. The dwellings range in size from 560 to 616 square feet of living area. One of the comparables has a full, unfinished basement and the others have either a crawl space foundation or a concrete slab foundation. One has a garage. The comparables have the same assigned neighborhood code as the subject. Comparable one is in the same tax block as the subject. These properties have improvement assessments ranging from $32.25 to $35.75 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant noted that none of the board of review's comparables is located on the same street as the subject like his comparables.

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 Board further finds a reduction in the subject's assessment is not 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 not met this burden.

The Board finds the appellant's comparables were much larger than the subject and two differed in foundation from the subject. Two of the board of review's comparables also differed in foundation from the subject. Thus, these comparables received reduced weight in the Board's analysis. The board of review's comparable one was most similar to the subject in size and foundation. It was also similar to the subject in location, design, age and exterior construction and received the most weight in the Board's analysis. This comparable had an improvement assessment of $35.75 per square foot of living area and supports the subject's improvement assessment of $32.07 per square foot of living area. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment 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: May 21, 2010

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.