

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Sulian Tay  
DOCKET NO.: 06-26733.001-R-1  
PARCEL NO.: 14-29-427-013

The parties of record before the Property Tax Appeal Board are Sulian Tay, the appellant, by attorney Adam Bossov in Chicago; and the Cook County Board of Review.

The subject property consists of a 2,900 square foot parcel of land improved with a 118-year old, three-story, masonry, single-family dwelling containing 3,564 square feet of living area, three and one-half baths, and air conditioning. 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 18 properties suggested as comparable and located within the subject's neighborhood. The properties are described as multi-story, masonry or frame, single-family dwellings with between one and five and one-half baths. In addition, nine properties contain one or more fireplaces; 14 properties contain air conditioning; and 15 properties have a partial or full basement with seven finished. The properties range: in age from 102 to 147 years; in size from 2,297 to 4,300 square feet of living area; and in improvement assessments from \$22.24 to \$25.29 per square foot of living area. The appellant also submitted a copy of a closing statement for the sale of the subject in 2007 for \$1,060,000. 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 \$107,052 or \$30.04 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 located in the subject's neighborhood. The properties consist of two-story, masonry, single-family dwellings with between two and six and one-half baths, air conditioning, and a full basement with three finished. In addition, two properties contain one or two fireplaces. The

(Continued on Next Page)

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:	\$	17,947
IMPR.:	\$	87,318
TOTAL:	\$	105,265

Subject only to the State multiplier as applicable.

properties range: in age from 103 to 118 years; in size from 2,444 to 4,052 square feet of living area; and in improvement assessments from \$30.07 to \$46.53 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued that the subject property is currently assessed at 10% of a previous purchase price. Mr. Bossov attempted to argue that the current assessment was excessive based on the market value of the subject in a 2007. It was then noted that the appellant's petition reflected an assessment equity argument. Mr. Bossov then argued that the suggested comparables are assessed lower than the subject. He argued that an assessment based on the 2007 sale of the subject is in line with the suggested comparables assessments. He acknowledged this sale was by a relocation company. He stated the appellant sold the property in 2006 to the relocation company who then sold the property in 2007. The appellant did not submit any evidence of the 2006 sale.

The board of review's representative, David Flores, stood on the evidence submitted and noted that the subject properties construction was masonry and the suggested comparables were frame.

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.

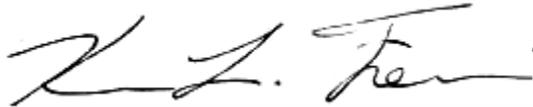
The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board 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 22 properties suggested as comparable to the subject. The PTAB finds the appellant's comparables #1, #4, #7, #13, #16, and #17 are the most similar to the subject in design, size, and age. These properties are masonry or frame, two-story, single-family dwellings located in the subject's neighborhood. The properties range: in age from 102 to 129 years; in size from 3,248 to 3,828 square feet of living area; and in improvement assessments from \$22.24 to \$24.76 per square foot of living area. In comparison, the subject's improvement assessment of \$30.04 per square foot of living area is above the range of comparables. 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 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.



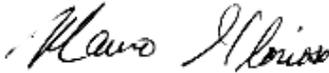
Chairman



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: June 19, 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.