



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

APPELLANT: Chestnut Crossing, LLC
DOCKET NO.: 06-27015.001-R-1 through 06-27015.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Chestnut Crossing, LLC, the appellant(s), by attorney Stephen Golan, of Golan & Christie LLP 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
06-27015.001-R-1	22-33-107-011-0000	16,144	13,271	\$29,415
06-27015.002-R-1	22-33-107-012-0000	11,081	14,241	\$25,322

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of seven townhomes, four (4) under property index number (PIN) 22-33-107-011-0000 and three (3) under PIN 22-33-107-012-0000. The subject property is situated on a 40,038 square foot parcel located in Lemont Township, Cook County. The appellant provided assessment data and descriptive information on one of the seven townhomes belonging to the subject building. The townhome consists of a one-story, two-year-old, 1,739 square foot dwelling of masonry construction with two full bathrooms, central air-conditioning, a fireplace and a two-car attached garage.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on four properties suggested as comparable to the subject. Based on the appellant's documents, the four suggested comparables consist of one-story, masonry

constructed townhomes that range in size from 1,724 to 2,428 square feet of living area and range in age from one to four years old. The comparables contain two or two and one-half bathrooms, central air-conditioning and a two-car attached garage. Three comparables have a fireplace. No basement descriptions were provided. The improvement assessments range from \$0.70 to \$9.33 per square foot of living area. Based on the evidence submitted, 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 total assessment of \$54,737 was disclosed. The subject's assessment reflects a fair market value of \$540,879 when applying the 2006 three year median level of assessment of 10.12% for Cook County class 2 properties as determined by the Illinois Department of Revenue. In support of its assessment of the subject property, the board of review presented a sales analysis that consisted of two units within the subject's building which sold in 2006. The average sale price of \$369,500 was multiplied by seven, or the number of units in the building, to arrive at a full value for the building at full occupancy of \$2,586,500. Next, the subject's full value was multiplied by the weighted occupancy for all seven units of 35.7% to arrive at a full value with occupancy for the subject building of \$923,380. The board's analysis indicated that the current assessment includes occupancy factors on each of the seven (7) townhome units that comprise the subject building. Based on the evidence presented, the board of review requested confirmation of the subject's total 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's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds that neither party submitted property printouts for the subject property. The board of review contends that all seven units which comprise the subject building enjoy occupancy factors. The subject's total combined assessment of \$54,737 applies to all seven units but no evidence of the full improvement assessment for each of the seven individual units was provided. The Board finds that the appellant failed to provide adequate descriptive data as well as the full improvement assessment for each unit; therefore, the Board finds it is impossible to evaluate the inequity of the assessment. In addition, the appellant argued unequal treatment in the assessment process but only supplied descriptive data for one of

subject's units, whereas, the subject consists of seven individual townhouse units.

As a final point, the Board finds that the subject's total combined assessment of \$54,737 reflects a fair market value of \$540,879 when applying the 2006 three year median level of assessment of 10.12% for Cook County Class 2 property as determined by the Illinois Department of Revenue. The Board further finds that the subject's market value at full occupancy of \$2,586,500 when multiplied by the weighted occupancy for all seven units of 35.7% reflects a full value with occupancy factors applied of \$923,380 and supports the subject's assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject property was inequitably assessed by clear and convincing evidence 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. Guit

Chairman

Member

Mario M. Louie

Member

Member

William R. Lerbis

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: September 24, 2010

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.