

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Jay Colker
DOCKET NO.: 06-27469.001-R-1
PARCEL NO.: 13-14-317-009-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Jay Colker, the appellant, and the Cook County Board of Review (board).

The subject property consists of a 91-year-old, two-story single-family dwelling of frame and masonry construction containing 2,084 square feet of living area and located in Jefferson Township, Cook County. The residence contains one bathroom, a full basement and a two-car garage.

The appellant appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered four suggested comparable properties located within a block of the subject. These properties consist of two-story single-family dwellings of frame construction and range in age from 89 to 102 years. The homes are air-conditioned and all have fireplaces. There is no evidence provided of garages, basements or bathrooms. The comparables contain between 1,448 and 1,792 square feet of living area and have improvement assessments ranging from \$34,765 to \$37,476 or from \$20.63 to \$24.01 per square foot of living area. The appellant stated the comparables are all refinished with items such as new siding, windows and porches. The appellant disclosed his house is not air conditioned; does not have a fireplace; does not have new siding, windows or a new porch and only one bathroom. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$39,054, or \$18.74 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered four suggested comparable properties located within a mile of the subject. The comparables consist of two-story single-family dwellings of frame and masonry construction and range in age from 87 to 103 years. The comparables contain two bathrooms, full basements and one or two-

(Continued on Next Page)

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: \$ 8,504
IMPR. \$39,054
TOTAL: \$47,558

Subject only to the State multiplier as applicable.

PTAB/TMcG. 11/08

car garages. The comparables range in size from 1,515 to 1,832 square feet of living area and have improvement assessments of between \$33,173 and \$37,163 or from \$20.29 to \$22.11 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After hearing the testimony and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. 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 PTAB finds the appellant has failed to overcome this burden.

The PTAB finds both parties submitted a total of eight comparables somewhat similar to the subject but with considerable differences in living area. The eight comparables are smaller than the subject ranging in differences from 250 to 636 square feet of living area. The eight properties have improvement assessments ranging from \$20.36 to \$24.01 per square foot of living area. The subject's per square foot improvement assessment of \$18.74 is below this range of properties. The PTAB gives less weight to the appellant's comparables because they are less similar to the subject in that they have been refinished as indicated by the appellant. After considering both parties' suggested comparables when compared to the subject property, the PTAB finds the evidence submitted is insufficient to effect a change in the subject's assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate that the subject dwelling 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.



Chairman



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: December 5, 2008



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.