



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

APPELLANT: Robert Newman
DOCKET NO.: 06-27636.001-R-1
PARCEL NO.: 17-04-209-002-0000

The parties of record before the Property Tax Appeal Board are Robert Newman, 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: \$ 19,235
IMPR.: \$ 85,923
TOTAL: \$ 105,158

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of masonry construction containing 1,964 square feet of living area. The dwelling is an old-fashioned row house that is 118 years old. Features of the home include a full, unfinished basement, central air conditioning, and a fireplace.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as two-story masonry dwellings that are either 81 or 118 years old. The appellant's comparables are old-fashioned row houses and are located on the same block as the subject. The comparable dwellings range in size from 1,924 to 2,306 square feet of living area. Each comparable has a full, unfinished basement; one has central air conditioning; and two have one or two fireplaces. The comparables have improvement assessments of either \$38.15 or \$39.35 per square foot of living area. The subject's improvement assessment is \$43.75 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 four comparable properties consisting of two-story masonry dwellings that are each 118 years old. The comparables are old-fashioned row houses, and two are located on the same block as the subject. The dwellings range in size from 1,750 to 1,924 square feet of living area. Each comparable has a full basement, one of which is finished; each has one or two fireplaces; and one has central air conditioning. These properties have improvement assessments of either \$43.75 or \$47.95 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's attorney noted that two of the appellant's comparables and one of the board of review's comparables were "identical to the subject in every way."

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.

Both parties presented assessment data on a total of seven equity comparables. The appellant's comparables numbered one and two were 37 years newer than the subject and received reduced weight in the Board's analysis. The comparables numbered three and four by the board of review were somewhat smaller than the subject and also received reduced weight. The Board finds the comparable numbered three by the appellant was almost identical to the subject in all respects. The Board further finds that the comparables numbered one and two by the board of review were very similar to the subject in location, age, size, style, exterior construction, and most features. Due to their similarities to the subject, these three comparables received the most weight in the Board's analysis. These comparables had improvement assessments of \$39.35 and \$43.75 per square foot of living area. The subject's improvement assessment of \$43.75 per square foot of living area is identical to one of these amounts. 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerski

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

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.