

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Karen & John Herbst
DOCKET NO.: 06-27876.001-R-1
PARCEL NO.: 17-06-110-038-0000

The parties of record before the Property Tax Appeal Board are Karen & John Herbst, the appellants, and the Cook County Board of Review.

The subject property consists of a 13-year-old, two-story, single-family dwelling of frame construction containing 1,548 square feet of living area and located in West Chicago Township, Cook County. Features of the residence include one and one-half bathroom, a partial-finished basement, air-conditioning and a two-car detached garage.

The appellant, Karen Herbst, appeared before the Property Tax Appeal Board arguing unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellants submitted assessment data and descriptive information on six properties suggested as comparable to the subject. Based on the appellants' documents, the six suggested comparables consist of one and one-half story or two-story, single-family dwellings of masonry or frame construction located within two blocks of the subject. The improvements range in size from 1,449 to 2,061 square feet of living area with four comparables completely rehabbed and two comparables 14 years in age. The comparables contain two, three or four full bathrooms, a partial or full-finished basement, air-conditioning and a two-car garage. Three comparables contain a fireplace. The improvement assessments range from \$19.98 to \$33.88 per square foot of living area.

At hearing, the appellant asserted that the appellants' comparables are similar to the subject and should be considered as such by the Property Tax Appeal Board. Based on the evidence submitted, the appellants requested a reduction in the subject's assessment.

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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: \$ 11,520
IMPR.: \$ 50,620
TOTAL: \$ 62,140

Subject only to the State multiplier as applicable.

The board of review submitted its "Board of Review Notes on Appeal", disclosing the subject's total assessment of \$62,140. The subject's improvement assessment is \$50,620 or \$32.70 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, 13 or 14-year-old, single-family dwellings of masonry construction located within one-quarter mile of the subject. The improvements range in size from 1,472 to 1,622 square feet of living area. The comparables contain one and one-half or two and one-half bathrooms, a full-unfinished basement and a two-car garage. One comparable contains air-conditioning. The improvement assessments range from \$33.88 to \$34.35 per square foot of living area. The appellants' comparable six and the board of review's comparable one are the same property.

At hearing, the board's representative stated that the board of review's comparables are similar to the subject in size, design, age, amenities and location and indicated that the board of review would rest on the written evidence submissions. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

After hearing the testimony 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 appellants' 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 appellants have not overcome this burden.

The Board finds the appellants' comparables five and six and the board of review's comparables to be the most similar properties to the subject in the record. These five properties are similar to the subject in improvement size, amenities, age, exterior construction and location and have improvement assessments ranging from \$32.60 to \$34.35 per square foot of living area. The subject's per square foot improvement assessment of \$32.70 falls within the range established by these properties. The Board finds the appellants' remaining comparables less similar to the subject in improvement size, design and/or exterior construction. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported by the most similar properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellants have 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.



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: October 10, 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.