



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

APPELLANT: Ed Simon
DOCKET NO.: 06-28219.001-C-1
PARCEL NO.: 13-01-227-020-0000

The parties of record before the Property Tax Appeal Board are Ed Simon, the appellant, by attorney Terrence Kennedy Jr., of the Law Offices of Terrence Kennedy, Jr., in Chicago, and the Cook County Board of Review.

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: \$9,077
IMPR.: \$33,075
TOTAL: \$42,152

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story office building of brick construction containing 1,575 square feet of building area. The structure is 51 years old. The property is located in Jefferson Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process as to the improvement. No dispute was raised concerning the land assessment. The appellant submitted information on five comparable properties located near the subject on the same street. The comparables are one-story masonry buildings that range in age from 43 to 55 years old. The comparables range in size from 2,275 to 3,125 square feet of building area and have land-to-building ratios ranging from 1.2:1 to 2.1:1 with the subject having a land-to-building ratio of 1.4:1. The comparables have improvement assessments ranging from \$30,470 to \$48,159 or from \$18.75 to \$24.70 per square foot of building area. The subject's improvement assessment is \$45,512 or \$28.90 per square foot of building area. The appellant also presented an analysis where the assessments were converted to estimated market values. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$32,818 or \$20.84 per square foot of building area which would reflect the "average" of the comparable properties.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$54,589 was disclosed. The board of review presented descriptions and comparable sales information on seven properties. The comparables are retail/storefronts ranging in size from 1,408 to 3,168 square feet of building area. The properties sold between July 2001 and August 2003 for prices ranging from \$160,000 to \$500,000 or from \$90.32 to \$181.82 per square foot of building area including land. The board of review provided no assessment data for these seven sales comparables or for any other suggested equity comparables for the assessment year in question. Based on this evidence, the board of review requested confirmation of the subject's 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 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 Board finds the five comparables submitted by the appellant were similar to the subject in location, size, style, exterior construction, features and/or age. The board of review failed to address the appellant's equity claim and evidence when it submitted comparable sales data. The appellant's equity comparables had improvement assessments that ranged from \$30,470 to \$48,159 or from \$18.75 to \$24.70 per square foot of building area. The subject's improvement assessment of \$45,512 or \$28.90 per square foot of building area is above the range established by these similar comparables. After considering adjustments and the differences in appellant's comparables when compared to the subject, the Board finds the subject's improvement assessment is not equitable 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: February 24, 2012

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.