

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Alexandra Boskovich  
DOCKET NO.: 06-28258.001-R-1  
PARCEL NO.: 14-31-325-051-1002

The parties of record before the Property Tax Appeal Board are Alexandra Boskovich, the appellant; and the Cook County Board of Review.

The subject property consists of residential condominium unit with 1,500 square feet of living area. Features of the unit include a fireplace, central air conditioning and a detached garage. The unit is approximately 6 years old and is located in Chicago, West Chicago Township, Cook County.

The appellant contends both assessment inequity and overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable residential condominiums units. The comparables were described as ranging in size from 1,350 to 1,600 square feet of living area and in age from 1 to 8 years old. The comparables sold from January 2005 to April 2006 for prices ranging from \$369,900 to \$375,000 or from \$234.38 to \$273.33 per square foot of living area. The appellant also indicated the subject sold in August 2003 for a price of \$396,000 or \$264.00 per square foot of living area. The appellant indicated on the appeal form the parties to the transaction were not related and the property had been advertised for sale using the multiple listing service. The appellant indicated the comparables had total assessments ranging from \$30,456 to \$35,919 while the subject had a total assessment of \$35,126. Based on this evidence the appellant requested the subject's assessment be reduced to \$30,266.

The board of review submitted an analysis containing the three condominium units located in the subject's building. The analysis indicated the three units, including the subject, sold in 2003 and 2004 for prices of \$396,000, \$480,000 and \$485,000, respectively, for a total consideration of \$1,361,000. A deduction of \$12,000 or \$4,000 per unit was made for personal property to arrive at a total adjusted consideration of \$1,349,000. The board of review indicated the subject had a

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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:	\$	3,517
IMPR.:	\$	31,609
TOTAL:	\$	35,126

Subject only to the State multiplier as applicable.

26.55% of ownership in the condominium which resulted in a market value for the subject unit of \$358,159. The subject has a total assessment of \$35,125 which reflects a market value of approximately \$347,085 using the 2006 three year median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.12% as determined by the Illinois Department of Revenue. Based on this evidence, the board of review requested confirmation on 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 the appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant argued in part overvaluation as the basis of the appeal. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). The Board finds the appellant presented evidence demonstrating the subject's assessment is not excessive in relation to the property's market value.

In support of market value argument the appellant provided three comparable sales of residential condominium units that sold from January 2005 to April 2006 for prices ranging from \$369,900 to \$375,000 or from \$234.38 to \$273.33 per square foot of living area. Additionally, the record contains evidence indicating the subject sold in an arm's length transaction in August 2003 for a price of \$396,000 or \$264.00 per square foot of living area. The subject has a total assessment of \$35,125 which reflects a market value of approximately \$347,085 or \$231.39 per square foot of living area using the 2006 three year median level of assessment for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.12% as determined by the Illinois Department of Revenue. The Board finds the subject's assessment reflects a market value below its August 2003 purchase price and below the range established by the sales comparables submitted by the appellant. Based on this record the Board finds the subject's assessment is not excessive in relation to its market value and no reduction in the assessment is warranted on this basis.

The appellant also argued assessment inequity. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments 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 a reduction is not warranted on this basis.

The appellant used the same three comparables that were listed in the overvaluation argument to support the assessment inequity contention. According to the appellant these comparables had total assessments ranging from \$30,456 to \$35,919. The subject has a total assessment of \$35,126. The record demonstrates the subject's total assessment is within the range established by these comparables even though the subject had the highest sales price as juxtaposed to these properties. The Board finds the evidence in the record does not demonstrate the subject has a disproportionately higher assessment in comparison to the comparables in the record. The Board finds the appellant did not demonstrate with clear and convincing evidence that the subject was inequitably assessed and no reduction is warranted on this basis.

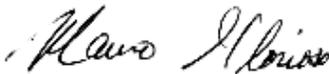
This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



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: August 24, 2009



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.