



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

APPELLANT: Mark & Kim Walter
DOCKET NO.: 06-29088.001-R-1
PARCEL NO.: 14-33-302-010-0000

The parties of record before the Property Tax Appeal Board are Mark & Kim Walter, the appellants, 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: \$ 20,492
IMPR.: \$ 209,190
TOTAL: \$ 229,682

Subject only to the State multiplier as applicable.

ANALYSIS

The subject is a 124-year-old, three-story, masonry dwelling with 3,603 square feet of living area, central air conditioning, a fireplace, a two-car garage and a full basement with a recreation room.

The appellants submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellants submitted a grid analysis detailing three suggested comparable properties located 0.26 of a mile to 0.47 of a mile from the subject. The three-story, masonry or frame and masonry dwellings have central air conditioning. Two have two-car garages, two have full, unfinished basements, and one has two fireplaces. They are 118 or 128 years old. Their living areas are 3,591 to 3,892 square feet in size, and they have improvement assessments of \$32.79 to \$36.20 per square foot. The subject property has an improvement assessment of \$58.06 per square foot. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board

of review also submitted a spreadsheet and property characteristic sheets with information on two comparable properties. They are located in an area with the same assessor's assigned neighborhood code as the subject and are one-fourth of a mile from the subject. The three-story, masonry dwellings have central air conditioning, two or three fireplaces and full or partial basements with recreation rooms. One comparable has a two-car garage. They are 80 and 122 years old. They have 3,886 and 4,022 square feet of living area, and their improvement assessments are \$62.85 and \$65.73 per square foot. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellants' attorney pointed out differences between the board of review's comparables and the subject.

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 Property Tax Appeal Board further finds that a reduction in the subject's assessment is not warranted. 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 parties offered assessment data on a total of six equity comparables. The comparables are similar to the subject in location, size and most other characteristics. The appellants' comparables lack finished basements the subject enjoys, and the board of review's comparables have more fireplaces than the subject. The six comparables have improvement assessments of \$32.79 to \$65.73 per square foot. The subject's \$58.06 per square foot improvement assessment is within that range. After considering adjustments and differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's current per square foot improvement assessment is supported by the properties contained in the record.

As a result of this analysis, the Board finds the appellants have not adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction 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. Lerbis

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: January 21, 2011

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.