



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

APPELLANT: Keith Rockey  
DOCKET NO.: 06-31082.001-R-1  
PARCEL NO.: 14-33-304-026-0000

The parties of record before the Property Tax Appeal Board are Keith Rockey, the appellant(s), by attorney Stephanie Park, of Stephanie Park, P.C. of 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:** \$ 19,049  
**IMPR.:** \$ 243,951  
**TOTAL:** \$ 263,000

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 3,175 square foot parcel improved with a sixteen-year-old, three-story, single-family dwelling of masonry construction containing 5,764 square feet of living area and located in North Chicago Township, Cook County. Features of the residence include three full bathrooms, two half-baths, a partial-finished basement, central air-conditioning, two fireplaces and a two-car attached garage.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board and raised two arguments: first, that there was unequal treatment in the assessment process of the improvement; and second, that the fair market value of the subject is not accurately reflected in its assessed value. In support of the inequity argument, the appellant submitted assessment data and descriptive information on eight properties suggested as comparable to the subject. Based on the appellant's

documents, the eight suggested comparables consist of two-story or three-story, single-family dwellings of stucco or masonry construction located within the subject's neighborhood. The improvements range in size from 5,253 to 6,068 square feet of living area and range in age from four to 118 years. The comparables contain from three and one-half to five and one-half bathrooms and central air-conditioning. Seven comparables contain a full-finished or unfinished basement, five comparables have between one and four fireplaces and seven comparables contain a multi-car garage. The improvement assessments range from \$33.55 to \$48.96 per square foot of living area. Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

As to the market value argument, the appellant submitted a copy of a uniform residential appraisal report prepared by a State of Illinois certified real estate appraiser. The appraiser utilized the sales comparison approach as well as the cost approach to estimate a market value of \$2,600,000 for the subject as of January 17, 2005.

In the sales comparison approach, the appraiser used five residential sales located within a distance of one mile from the subject. The lots range in size from 2,304 to 3,125 square feet and the improvements range in size from 3,762 to 4,905 square feet of living area. The comparables sold between May 2004 and December 2004 for prices ranging from \$2,500,000 to \$2,700,000, or from \$514.78 to \$685.81 per square foot of living area, including land. After adjustments, the appraiser concluded a value for the subject via the sales comparison approach of \$2,600,000 as of January 17, 2005.

In the cost approach, the appraiser estimated the value of the subject site to be \$1,150,000. The appraiser then estimated a replacement cost new for the subject of \$1,552,450. Accrued depreciation was estimated to be \$155,245 and deducted from the estimated replacement cost. A cost of \$50,000 for other site improvements was added to the depreciated cost of the main improvement, as was the land value of \$1,150,000. Thus, the appraiser determined a value for the subject via the cost approach of \$2,597,205 as of January 17, 2005.

The appraisal disclosed that the five comparables utilized in the sales comparison approach are located in the Lincoln Park area and that they are similar in function, quality and appeal as compared to the subject.

In reconciling the two approaches to value, the appellant's appraiser indicated that the most weight was given to the sales comparison approach with the cost approach used in support. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of \$2,600,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$318,257. The subject's improvement assessment is \$299,208 or \$51.91 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on three properties suggested as comparable to the subject. The suggested comparables are improved with three-story, single-family dwellings of masonry construction with the same neighborhood code as the subject. The improvements range in size from 5,600 to 6,704 square feet of living area and range in age from 75 to 115 years. The comparables contain from four to five and one-half bathrooms, a finished or unfinished basement and central air-conditioning. Two comparables have a fireplace and a multi-car garage. The improvement assessments range from \$52.40 to \$63.26 per square foot of living area. Based on the evidence presented, 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 appellant's 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 appellant has overcome this burden.

Regarding the appellant's inequity claim, the Property Tax Appeal Board finds the appellant's comparables three, four, five, seven and eight to be the most similar properties to the subject in the record. These five properties are similar to the subject in improvement size, amenities, design, age and location and have improvement assessments ranging from \$38.19 to \$48.96 per square foot of living area. The subject's per square foot improvement assessment of \$51.91 falls above the range established by these properties. The Board finds the appellant's remaining comparables less similar to the subject in exterior construction, design and/or age and accorded less weight. The Board finds the board of review's three comparables vastly inferior to the subject in age and two of the comparables superior in improvement size. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is inequitable and a reduction in the subject's assessment is warranted.

As a final point, the Board finds no further reduction based on the appellant's market value argument is warranted.

Docket No: 06-31082.001-R-1

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.

January 26, 2010

Date:

*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.