



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

APPELLANT: Kostas Alexopoulos
DOCKET NO.: 07-00340.001-R-1
PARCEL NO.: 06-03-09-402-064-0000

The parties of record before the Property Tax Appeal Board are Kostas Alexopoulos, the appellant; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$25,049
IMPR: \$101,899
TOTAL: \$126,948

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 28,050 square foot parcel improved with a six-unit, brick and frame apartment building that contains approximately 3,680 square feet of living area.

The appellant appeared before the Property Tax Appeal Board claiming unequal treatment in the assessment process regarding the subject's improvements and land as the basis of the appeal. In support of the improvement inequity argument, the appellant submitted limited information on four comparables located across the street or one mile from the subject. The comparables were reported to consist of frame or brick and frame apartment buildings that contain from four to nine units and from 4,508 to

17,842 square feet of living area. All the comparables have central air conditioning. These properties have improvement assessments ranging from \$85,774 to \$124,824 or from \$4.81 to \$27.69 per square foot of living area. The subject has an improvement assessment of \$127,040 or \$34.52 per square foot of living area.

In support of the land inequity contention, the appellant submitted information on the same four comparables used to support the improvement inequity argument. The comparables have land areas ranging from 12,825 to 14,985 square feet of land area and have land assessments of \$15,739 or \$17,000 or from \$1.05 to \$1.33 per square foot. The subject has a land assessment of \$25,049 or \$0.89 per square foot.

Additionally, the appellant reported the subject sold in 2007 for \$550,000, comparable one sold in 2007 for \$420,000 and comparable two sold in 2004 for \$375,000. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal", wherein the subject property's total assessment of \$152,089 was disclosed. The board of review submitted no improvement comparables or other information to refute the appellant's improvement inequity argument or to support the subject's improvement assessment.

In support of the subject's land assessment, the board of review submitted a letter prepared by the township assessor, a plat map of the subject's neighborhood and a grid analysis of three comparables located adjacent to the subject. The comparables have land areas ranging from 27,225 to 30,525 square feet and have land assessments ranging from \$20,839 to \$24,061 or from \$0.68 to \$0.88 per square foot of land area. The grid describes the subject as having a concrete parking lot, whereas the three comparables do not. Based on this evidence, the board of review requested the subject's assessment be confirmed.

During the hearing, the board of review called the township assessor as a witness. The assessor testified properties that back up to the Du Page River, like the subject and the board of review's comparables, are more valuable than those which do not, like the appellant's comparables.

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 Property Tax Appeal Board further finds that a reduction in the subject property's assessment is warranted. The appellant argued unequal treatment in the assessment process as the basis of the appeal. 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 improvement inequity contention, the Board finds the appellant submitted four comparables while the board of review submitted no comparables or other data in support of the subject's improvement assessment. The Board gave less weight to the appellant's comparables one and two because they were significantly larger than the subject in living area. The appellant's comparables three and four were similar to the subject in age and some property characteristics and had improvement assessments of \$23.48 and \$27.69 per square foot of living area. The subject's improvement assessment of \$34.52 is not supported by the most representative improvement comparables in the record. Therefore, a reduction in the subject's improvement assessment is warranted.

Regarding the land inequity contention, the Board finds the parties submitted seven comparables. The Board gave less weight to the appellant's comparables because they differed from the subject in land area and location. The Board finds the land comparables submitted by the board of review were located adjacent to the subject on the Du Page River and had land assessments ranging from \$0.68 to \$0.88 per square foot of land area. The subject's land assessment of \$0.89 per square foot is justified because it has a concrete parking lot, whereas the board of review's comparables do not have this feature.

In summary, the Property Tax Appeal Board finds the appellant has met his burden of proving inequity by clear and convincing evidence regarding the subject's improvement assessment and a reduction is warranted. However, the appellant has failed to

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prove inequity regarding the subject's land assessment and no reduction is warranted on that 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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Harold H. Lewis

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: December 23, 2009

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.