FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: James Bunegar
DOCKET NO.: 07-20047.001-R-1
PARCEL NO.: 23-35-401-022-0000

The parties of record before the Property Tax Appeal Board are James Bunegar, the appellant, by attorney Rusty Payton of the Law Offices of Rusty Payton, P.C., Chicago, Illinois; 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:	$ 9,800
IMPR.:	$ 31,423
TOTAL:	$ 41,223

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame and masonry construction containing 2369 square feet of living area. The dwelling is 49 years old. Features of the home include a partial, unfinished basement, a fireplace and a two-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted basic assessment information on seven comparable properties but provided a detailed grid analysis of property characteristics on four comparables described as one-story masonry or frame and masonry dwellings that range in age from 22 to 43 years old. The comparable dwellings range in size from 2311 to 2668 square feet of living area. Three have full or partial basements and fireplaces, and three have central air conditioning. The map provided by the appellant indicates they are located more than one-half mile from the subject. The comparables have improvement assessments ranging from $9.43 to $10.54 per square foot of living area. The subject's improvement assessment is $13.26 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on one comparable property consisting of a one-story masonry dwelling 42 years old with 2633 square feet of living area. Features include central air conditioning a fireplace and a two-car garage. It is located on the same block as the subject. It has an improvement assessment of $13.56 per square foot of living area. 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 not 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 not met this burden.

The Board finds all of the comparables submitted by the parties were dissimilar to the subject in one or more significant ways. Only the appellant's comparable #3 was of frame and masonry construction similar to the subject, but it features were much different than the subject. The board of review's comparable was located much closer to the subject, but in addition to being of masonry construction, it had a full basement and central air conditioning superior to the subject. Although none of the comparables was very similar to the subject, the board notes that the comparables had improvement assessments that ranged from $9.43 to $13.56 per square foot of living area. The subject's improvement assessment of $13.26 per square foot of living area is within the range established by the comparables. The Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment 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.

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: November 25, 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.