FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Michael Vesper
DOCKET NO.: 07-20726.001-R-1
PARCEL NO.: 12-02-232-013-0000

The parties of record before the Property Tax Appeal Board are Michael Vesper, the appellant(s), by attorney Anthony M. Farace, of Amari & Locallo in 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:	$9,001
IMPR.:	$29,653
TOTAL:	$38,654

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 6,251 square foot parcel of land that is improved with a 55-year old, one-story, masonry, single-family dwelling. The subject includes one bath, a partial unfinished basement, air conditioning, one fireplace, and a three-car garage. The appellant argued both unequal treatment in the assessment process and that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

In support of the equity argument, the appellant submitted descriptions on a total of three properties suggested as comparable and located within the subject's neighborhood. The properties are described as one-story, masonry, single-family dwellings with between one and two and one-half baths. Features include air conditioning, a partial unfinished basement, a fireplace and a one-car garage for two of the properties, The properties range in size from 1,667 to 1,793 square feet of living area and have improvement assessments ranging from $20.86 to $21.26 per square foot of living area. Based on this evidence, the appellant requested a reduction of the subject's assessment.

The appellant also included sales information on the three suggested comparables. The sales occurred between March 2006 to August 2007 for prices ranging from $294,000 to $387,000 or from $228.09 to $276.58 per square foot of living area, including land. The properties consist of frame and masonry or masonry, one-story, single-family dwellings containing 1,667 to 1,793 square feet of living area. Features include a one or one and one-half car garage, air conditioning, and a fireplace for one of the properties. Based on this evidence, appellant requested a reduction of the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of $41,407 was disclosed. This assessment reflects a market value of $412,420 using the Illinois Department of Revenue's 2007 three-year median level of assessment for class 2 property of $10.04%. The board of review presented descriptions and assessment information on four suggested comparable properties located within the subject's neighborhood with three of the properties located within one-quarter mile of the subject. The properties consist of one-story, masonry, single-family dwellings with between one and one and one-half baths. Features include a full finished or unfinished basement, air conditioning and a one or two-car garage for three of the properties. These properties range in size from 1,274 to 1,406 square feet of living area and in improvement assessments from $24.40 to $27.74 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.

As to the subject's assessment, the PTAB finds the that the board of review's comparables were most similar to the subject in size, style, exterior construction, and features. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from $24.40 to $27.74 per square foot of living area. The subject's improvement assessment of $23.18 per square foot of living area is below the range established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's

improvement assessment is equitable and a reduction in the subject's assessment is not warranted.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v.Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill. Admin. Code 1910.65(c). Having considered the evidence presented, the Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

The appellant presented sales information on three properties suggested as comparable to the subject. The PTAB finds these comparables similar to the subject in construction, age, and features. The properties range in size from 1,667 to 1,793 square feet of living area and sold from March 2006 to April 2007 for prices ranging from $294,000 to $387,000 or from $228.09 to $276.58 per square foot of living area, including land. The subject's assessment reflects a market value of $412,420 or $295.07 per square foot of living area which is greater than the sale's price of the three comparables. Therefore, after considering adjustments and the differences in the appellant's comparables when compared to the subject, the PTAB finds a reduction in the subject's assessment is warranted for the 2007 assessment.

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 28, 2012

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.