



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

APPELLANT: Naoma Waller
DOCKET NO.: 07-20778.001-R-1
PARCEL NO.: 28-30-307-015-0000

The parties of record before the Property Tax Appeal Board are Naoma Waller, the appellant, 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: \$11,424
IMPR.: \$24,680
TOTAL: \$36,104

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with two dwellings on the same parcel. Dwelling #1 is a two-story of frame construction containing 2,475 square feet of living area. The dwelling is 52 years old. Features of the home include a full unfinished basement and a fireplace. Dwelling #2 is a two-story of frame and masonry construction containing 638 square feet of living area. This dwelling is 99 years old, has a concrete slab foundation and a 2.5-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant only provided descriptive information for dwelling #1. The appellant submitted information on three comparable properties described as two-story frame dwellings that are 57 or 61 years old. The comparable dwellings range in size from 2,349 to 2,532 square feet of living area. One comparable has a partial unfinished basement. Two comparables have central air conditioning. One comparable has a fireplace. Two comparables have 2-car garages and one comparable has a 2.5-car garage. The comparables have improvement assessments ranging from \$7.21 to \$8.54 per square foot of living area. The subject's improvement assessment is \$6.79 per square

foot of living area¹. 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 three comparable properties consisting of two-story frame or frame and masonry dwellings that range in age from 77 to 102 years old. The dwellings range in size from 2,536 to 2,781 square feet of living area. Two comparables have full unfinished basements and one comparable has a partial finished basement. One comparable has central air conditioning. Two comparables have a 1.5-car garage and one comparable has a 2-car garage. These properties have improvement assessments ranging from \$7.12 to \$8.38 per square foot of living area. The improvement assessment for dwelling #1 is \$15,807 or \$6.39 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued the board of reviews' comparables are older than the subject. Comparable #3 has central air conditioning and the subject does not have central air conditioning. Comparables #1 and #2 have 1.5-car garages and comparable #3 has a 2-car garage when compared to the subject's lack of a garage. Comparable #3 has "other improvements" compared to the subject's lack of other improvements.

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 comparable #3 submitted by the appellant and comparables #1 and #2 submitted by the board of review were most similar to the subject dwelling #1 in location, size and exterior construction. 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 \$7.12 to \$8.54 per square foot of living area. The subject's improvement assessment of \$6.39 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

¹ Appellant claims a \$9.20 improvement assessment per square foot based on an incorrect improvement assessment.

finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not warranted. Since the appellant provided no descriptive information for dwelling #2, nor any similar comparables, the Board finds no reduction in the assessment of dwelling #2 is 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

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn P. Lerbis

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: April 22, 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.