



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

APPELLANT: Barry L. Gordon
DOCKET NO.: 07-20999.001-R-1
PARCEL NO.: 05-32-202-082-0000

The parties of record before the Property Tax Appeal Board are Barry L. Gordon, 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: \$13,516
IMPR.: \$40,127
TOTAL: \$53,643

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a multi-level dwelling of frame and masonry construction containing 1,652 square feet of living area. The dwelling is 48 years old. Features of the home include a partial finished basement, central air conditioning, a fireplace and a 2-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as multi-level frame and masonry dwellings that range in age from 45 to 51 years old. The comparable dwellings range in size from 1,532 to 1,580 square feet of living area. All comparables feature partial finished basements, fireplaces and 2-car garages. Two have central air conditioning. The comparables have improvement assessments ranging from \$25.00 to \$25.80 per square foot of living area. The subject's improvement assessment is \$24.29 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.

¹ The appellant claims the improvement assessment does not include an exemption made for an improvement to the dwelling.

The board of review also submitted a copy of the subject's property characteristics printout disclosing the property had a home improvement exemption with a depreciated cost of \$50,000. The \$50,000 home improvement exemption resulted in a reduction in the improvement assessment of \$8,000 ($\$50,000 \times .16$). Adding back the exemption results in an improvement assessment of \$48,127 or \$29.14 per square foot of living area. The board of review presented descriptions and assessment information on four comparable properties consisting of multi-level frame and masonry dwellings that range in age from 43 to 51 years old. The dwellings range in size from 1,554 to 1,776 square feet of living area. All comparables feature full or partial finished basements. Three have central air conditioning and 1 or 2-car garages. Two comparables feature fireplaces. These properties have improvement assessments ranging from \$24.12 to \$28.18 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 claims the improvement assessment needs to be increased to include a homestead improvement exemption.

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.

After review of the evidence, the Board finds the improvement assessment of the subject after the application of the home improvement exemption to be \$40,127, or \$24.29 per square foot of living area. The Board finds the comparables submitted by the both parties were similar to the subject in location, size, style, exterior construction, features and age. These comparables had improvement assessments that ranged from \$24.12 to \$28.18 per square foot of living area. After the application of the home improvement exemption, the subject's improvement assessment is \$24.29 per square foot of living area which is within the range established by the most similar comparables. The Board finds that if the home improvement exemption is added back to the subject's assessment, the subject would have an improvement assessment of \$29.14 per square foot of living area. This assessment is above the range of the comparables but justified due to the home improvement arguably causing the subject to be superior to each comparable. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is

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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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank J. Huff

Member

Mario Morris

Member

Shawn R. 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.