



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

APPELLANT: Joe Koehler  
DOCKET NO.: 07-21164.001-R-1  
PARCEL NO.: 05-06-304-015-0000

The parties of record before the Property Tax Appeal Board are Joe Koehler, the appellant, by attorney Abby L. Strauss 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 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:** \$42,899  
**IMPR:** \$102,222  
**TOTAL:** \$145,121

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story dwelling of masonry construction containing 3,786 square feet of living area<sup>1</sup>. The dwelling is 36 years old. Features of the home include a partial basement finished with a recreation room, 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 two, one-story and a 1.5 to 1.9-story masonry or frame and masonry dwellings that are 51 or 52 years old. The comparable dwellings range in size from 3,520 to 3,861 square feet of living area. Each comparable has a partial unfinished basement, central air conditioning, one or two fireplaces and a 2-car garage. The comparables have improvement assessments ranging from \$25.52 to \$27.14 per square foot of living area. The subject's improvement assessment is \$29.50 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.

<sup>1</sup> The appellant describes the subject property as a 1.5 to 1.9-story design.

The board of review presented descriptions and assessment information on four comparable properties consisting of one-story masonry dwellings that range in age from 42 to 58 years old. The dwellings range in size from 2,052 to 2,548 square feet of living area. Three comparables have a partial basement of which two basements are finished with a recreation room and one comparable has a full unfinished basement. Three comparables have central air conditioning. Three comparables have a fireplace and one comparable has two fireplaces. Each comparable has a 2-car garage. These properties have improvement assessments ranging from \$29.45 to \$31.77 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 were all one-story and have less square footage when compared to the subject.

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 warranted.

While the appellant asserted the subject is a 1.5 to 1.9 story dwelling, the only evidence submitted by the appellant related to the subject was the Cook County Property Search Details Sheet which describes the subject as a one-story dwelling. This was further confirmed by the board of review's submission of a property characteristics sheet. Thus, the Property Tax Appeal Board finds the only record evidence describes the dwelling as a one-story structure.

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 a reduction is warranted.

The parties submitted seven comparables for consideration. Each of the board of review's comparables is substantially smaller than the subject dwelling. The board of review presented dwellings that were 42 to 58 years old and the appellant's comparables similarly were 51 or 52 years old. The Board finds comparables #2 and #3 submitted by the appellant were most similar to the subject in size 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 of \$25.52 and \$27.14 per square foot of living area. The subject's improvement assessment of \$29.50 per square foot of living area is above the range established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the

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subject, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's assessment 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 M. Louie*

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.