



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

APPELLANT: Jan C. Philipsborn
DOCKET NO.: 07-22146.001-R-1
PARCEL NO.: 05-08-312-014-0000

The parties of record before the Property Tax Appeal Board are Jan C. Philipsborn, the appellant, by attorney Mendy L. Pozin in Northbrook, 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: \$ 23,651
IMPR.: \$ 108,648
TOTAL: \$ 132,299

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 9,537 square foot parcel of land improved with a nine-year old, two-story, frame, single-family dwelling. The improvement contains 3,018 square feet of living area as well as four full and one half-baths, a full basement, two fireplaces, and a two-car garage.

At hearing, the appellant's attorney argued that there was unequal treatment in the assessment process as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptive and assessment data for four suggested comparables, one of which is located on the same street as the subject property. The properties were improved with a two-story, single-family dwelling of frame, stucco or frame and masonry exterior construction. They range: in baths from three to four; in age from 3 to 12 years; in size from 3,047 to 3,567 square feet of living area; and in improvement assessments from \$31.16 to \$36.18 per square foot. The properties each contain basement area, a two-car garage, and either one or two fireplaces. The subject's improvement assessment is \$43.00 per square foot of living area.

Based upon this analysis, the appellant requested a reduction in the subject's assessment.

At hearing, the appellant's attorney stated that he had no personal knowledge of the proximity of the appellant's comparables to the subject beyond the properties' location within the subject's neighborhood.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$153,424. The board of review submitted descriptive and assessment data relating to three suggested comparables. The properties are improved with a two-story, masonry, single-family dwelling. They range: in bathrooms from four to five; in age from 2 to 4 years; in size from 3,305 to 3,361 square feet of living area; and in improvement assessment from \$43.68 to \$62.01 per square foot. Amenities include a full basement, two fireplaces, and a two-car garage. As a result of its analysis, the board requested confirmation of the subject's assessment.

At hearing, the board of review's representative testified that the suggested comparables were within the subject's neighborhood.

In rebuttal, the appellant's attorney argued that the photographs submitted of the board's suggested comparables are not an accurate depiction of the improvements that existed as of the assessment date at issue. Therefore, he submitted Appellant's Hearing Exhibit #1 without objection by the board of review's representative. He argued that these black and white photographs taken from the assessor's website accurately depict the board's suggested comparables as of the 2007 assessment date.

After considering the testimony and/or arguments as well as reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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 data, the Board finds the appellant has met this burden.

The Board finds that comparables #1, #2 and #3 submitted by the appellant are most similar to the subject in exterior construction, improvement size and/or age. In analysis, the Board accorded most weight to these comparables. These comparables ranged in improvement assessments from \$32.59 to \$36.18 per square foot of living area. The subject's improvement assessment at \$43.00 per square foot is above the range established by these comparables.

Docket No: 07-22146.001-R-1

As a result of this analysis, the Board finds the appellant has adequately demonstrated that the subject was inequitably assessed by clear and convincing evidence and a reduction 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: March 18, 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.