



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

APPELLANT: Barbara Birnberg
DOCKET NO.: 07-22147.001-R-1
PARCEL NO.: 04-12-216-004-0000

The parties of record before the Property Tax Appeal Board are Barbara Birnberg, 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 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: \$ 23,320
IMPR.: \$ 53,775
TOTAL: \$ 77,095

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 11,000 square foot parcel of land improved with a 48-year old, one-story, masonry, single-family dwelling. The improvement contains 2,390 square feet of living area as well as two full and one half-baths, a full basement, one fireplace, 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, two of which is located on the same street as the subject property. The properties were improved with a one-story, single-family dwelling of frame and masonry exterior construction. They range: in baths from two to four; in age from 46 to 50 years; in size from 2,029 to 2,698 square feet of living area; and in improvement assessments from \$19.43 to \$19.83 per square foot. The properties each contain a partial basement and a two-car garage, while three properties also include one fireplace. The subject's improvement assessment is \$22.50 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 \$77,095. The board of review submitted descriptive and assessment data relating to three suggested comparables located one-quarter mile's distance from the subject. The properties are improved with a one-story, masonry, single-family dwelling. They range: in bathrooms from two to three; in age from 52 to 57 years; in size from 2,204 to 2,742 square feet of living area; and in improvement assessment from \$22.54 to \$23.35 per square foot. Amenities include one fireplace and a two-car garage, while two properties also include a full basement.

This analysis also reflects that the subject property and properties #1 and #3 were accorded an average condition by the assessor's office, while property #2 was accorded a deluxe condition without further explanation. 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 addition, he stated that he assumed that the disparity in comparables' condition would be attributed to extensive remodeling and updating of the improvement.

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 not met this burden.

The Board finds that comparables #1 and #3 submitted by the appellant as well as comparable #1 submitted by the board of review are most similar to the subject in improvement size, condition, and/or age. In analysis, the Board accorded most weight to these comparables. These comparables ranged in improvement assessments from \$19.43 to \$22.54 per square foot of living area. The subject's improvement assessment at \$22.50 per square foot is within the range established by these comparables.

As a result of this analysis, the Board finds the appellant has not adequately demonstrated that the subject was inequitably assessed by clear and convincing evidence and a reduction 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 A. 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: 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.