



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

APPELLANT: Katrina Kelley  
DOCKET NO.: 07-22192.001-R-1  
PARCEL NO.: 05-20-223-003-0000

The parties of record before the Property Tax Appeal Board are Katrina Kelley, the appellant(s), by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman 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:** \$30,069  
**IMPR.:** \$139,784  
**TOTAL:** \$169,853

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 12,529 square foot parcel of land improved with a 16-year old, two-story, frame, single-family, dwelling containing 3,532 square feet of living area, three and one-half baths, a fireplace, air conditioning, and a partial, unfinished basement. The appellant argued that the fair market value of the subject was not accurately reflected in its assessed value and unequal treatment in the assessment process as the bases of this appeal.

In support of the market value, the appellant submitted a copy of a letter from a sales associate at Caldwell Banker opining a market value for the subject as of July 10, 2007 of \$1,495,000.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of five properties suggested as comparable and located in the subject's neighborhood. The properties are described as two-story, masonry, frame or frame and masonry, single-family dwellings with between two and one-half and three and one-half baths, one or two

fireplaces, air conditioning, and, for three properties, a partial or full basement with one finished. The properties range: in age from seven to 14 years; in size from 3,178 to 3,675 square feet of living area; and in improvement assessments from \$30.33 to \$38.33 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 improvement assessment of \$139,784 or \$39.58 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, frame, stucco or masonry, single-family dwellings with between two and one-half and five and one-half baths, air conditioning, between one and four fireplaces, and a full, finished basement. The properties range: in age from seven to 11 years; in size from 2,968 to 3,773 square feet of living area; and in improvement assessments from \$39.43 to \$56.87 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the market value evidence presented, the PTAB concludes that this evidence indicates a reduction is not warranted.

In determining the fair market value of the subject property, the PTAB finds the appellant failed to submit sufficient evidence to show the subject was overvalued. The PTAB gives no weight to the letter authored by the real estate sales associate opining the subject's value at \$1,475,000. The PTAB finds this document is not an appraisal. The sales associate failed to provide any credentials showing she is qualified to appraise property, failed to conform to Uniform Standards for Professional Appraisal Practice, failed to include any information as to how she arrived at this value which would include descriptive information on the sales properties considered and any adjustments made in the comparables to arrive at a value for the subject. Therefore, the PTAB finds the appellant failed to show by a preponderance of the

evidence that the subject was over assessed and a reduction is not warranted.

The appellant also 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 PTAB finds the appellant has not met this burden.

The parties presented a total of nine properties suggested as comparable to the subject. The PTAB finds the appellant's comparables #1 and #3 and the board of review's comparables #2 and #4 most similar to the subject in size, age, design, and construction. The properties are described as two-story, frame or stucco, single-family dwellings located within the subject's neighborhood. The properties range: in age from seven to 13 years; in size from 3,058 to 3,747 square feet of living area; and in improvement assessment from \$30.33 to \$41.01 per square foot of living area. In comparison, the subject's improvement assessment of \$39.58 per square foot of living area is within the range of these comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the 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

*Frank J. Huff*

Member

Member

*Shawn R. Lerbis*

Member

Member

*Mario M. Louie*

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: September 23, 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.