



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

APPELLANT: Jim O'Donnell
DOCKET NO.: 07-22794.001-R-2
PARCEL NO.: 05-17-300-031-0000

The parties of record before the Property Tax Appeal Board are Jim O'Donnell, the appellant, by attorney Michael Griffin 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: \$ 87,509
IMPR.: \$ 271,079
TOTAL: \$ 358,588

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of masonry construction containing 6,910 square feet of living area. The dwelling is one year old. Features of the home include a full finished basement, central air conditioning, four fireplaces, and a three and one-half car garage. The dwelling is located in Winnetka, New Trier Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as two-story stucco, masonry, or frame and masonry dwellings that range in age from 44 to 101 years old. The comparables have the same assigned neighborhood and classification codes as the subject. The comparable dwellings range in size from 5,160 to 7,579 square feet of living area. Each comparable has two or three fireplaces and a garage, and three comparables have central air conditioning. The appellant, however, did not disclose any information on the comparables' foundations. The comparables have improvement assessments ranging from \$20.59 to \$34.86 per square foot of living area. The subject's improvement assessment is \$271,079 or \$39.23 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$142,281 or \$20.59 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$358,588 was disclosed. The board of review presented descriptions and assessment information on three comparable properties consisting of one or two-story frame or masonry dwellings that range in age from three to fifty-three years old. The comparables have the same assigned neighborhood and classification codes as the subject. The dwellings range in size from 1,328 to 7,364 square feet of living area. One comparable has a full finished basement, and two have unfinished basements, either full or partial. Each comparable has fireplaces that range from one to six; two comparables have central air conditioning; and two have a garage. These properties have improvement assessments ranging from \$7.41 to \$63.66 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment. The board of review also provided a copy of the certificate dated December 8, 2009 notifying taxing districts that this was an R-2 appeal.

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.

Both parties presented assessment data on a total of seven equity comparables. The appellant's comparables were much older than the subject and received reduced weight in the Board's analysis. The board of review's comparable #2 was also much older than the subject and likewise received reduced weight. The Board finds the board of review's comparables #1 and #3 were most similar to the subject in age and were generally similar in design and size. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments of \$41.75 and \$63.66 per square foot of living area. The subject's improvement assessment of \$39.23 per square foot of living area falls below these assessments. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is 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 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: May 20, 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.