



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

APPELLANT: Vijay Maker
DOCKET NO.: 07-24052.001-R-1
PARCEL NO.: 05-06-201-056-0000

The parties of record before the Property Tax Appeal Board are Vijay Maker, the appellant(s), by attorney Herbert B. Rosenberg, of Schoenberg Finkel Newman & Rosenberg LLC 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: \$98,303
IMPR: \$254,236
TOTAL: \$352,539

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 37,236 square foot parcel of land improved with an 85-year old, two-story dwelling of stucco construction containing 7,933 square feet of living area. Features of the home include three and one-half baths, a full unfinished basement, three fireplaces, and a two-car garage. The appellant argued unequal treatment in the assessment as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptions on a total of three properties suggested as comparable and located within one and one-quarter mile of the subject. The properties are described as two-story, masonry or masonry and frame, single-family dwellings with between four and five and one-half baths, full or partial unfinished or finished basements, and one to three fireplaces. The properties range: in age from 47 to 77 years old; in size from 5,355 to 6,931 square feet of living area; and in improvement assessments from \$19.83 to \$30.87 per square foot of living area. The appellant also submitted sales data for comparable #3 which sold in March 2005 for \$1,975,000 or \$284.95 per square foot of living area, including land. 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 was \$254,236 for tax year 2007. The subject's assessment reflects a market value of \$3,511,345 using the Illinois Department of Revenue's 2007 three-year median level of assessment for class 2, residential property of 10.04%. In support of subject's assessment, the board of review presented descriptions and assessment information on four suggested comparables located within the subject's market with two of the properties one the same block as the subject. The properties consist of two-story, masonry or stucco, single family dwellings with between three and one-half baths and six and two-half baths, full finished or unfinished basements, air conditioning, one to seven fireplaces, and a two or three-car garage. The properties range: in age from four and ninety-one years old; in size from 5,382 and 9,357 square feet of living area; and in improvement assessments from \$32.04 to \$45.16 per square foot of living area. In addition, the board of review submitted sales data regarding comparable #2 and #4. The properties sold in October 2004 and July 2006 for \$3,985,000 and \$6,175,000 or \$568.80 and \$759.35 per square foot living area, including land, respectively. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant stated that the board of review's comparables are not similar in location, age, construction, and size. For example, two of the board of review's comparables are located over one-mile from the subject with comparable #2 being located in Winnetka, Illinois and not in Glencoe, Illinois, as the subject. In addition, the board of review's comparable #2 has six and two-half baths, eight bedrooms, and seven fireplaces and the subject, by comparison, has three less baths and bedrooms, and four less fireplaces. The board of review's comparable #4 also has two additional baths and one fireplace more than the subject. Also, three of the board of review's comparables are of masonry construction and the subject, by comparison, is of stucco construction. The board of review's comparables #1 and #2 are newly constructed compared to the subject which is 85-years old. Lastly, the board of review's comparables #3 and #4 are classified as "deluxe" with comparable #3 containing 2,551 less square feet than the subject. The appellant contends that all of the board of review's comparables are "vastly superior" 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 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 PTAB finds the appellant has not met this burden.

The parties presented a total of seven properties suggested as comparable to the subject. The PTAB finds the board of review's comparable #4 and the appellant's comparables #2 and #3 most similar to the subject in size, age, and location. The properties are described as two-story, masonry or frame, single-family dwellings with between four and three-half and five and one-half baths, air conditioning, full or partial finished or unfinished basements, and between two to four fireplaces. The properties range: in age from 47 to 91 years; in size from 6,552 to 8,132 square feet of living area; and in improvement assessments from \$19.83 to \$37.21 per square foot of living area. In comparison, the subject's improvement assessment of \$32.05 per square foot of living area is within the range of these comparables. Therefore, 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 improvement 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: August 28, 2012

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.