



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

APPELLANT: Steven Libert
DOCKET NO.: 07-24065.001-R-1 through 07-24065.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Steven Libert, the appellant(s), by attorney George J. Behrens, of McCracken, McCracken & Behrens, P.C. 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:

| DOCKET NO | PARCEL NUMBER | LAND | IMPRVMT | TOTAL |
|------------------|--------------------|--------|---------|----------|
| 07-24065.001-R-1 | 02-26-105-011-0000 | 15,496 | 43,363 | \$58,859 |
| 07-24065.002-R-1 | 02-26-105-015-0000 | 4,940 | 0 | \$4,940 |

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 19,370 square foot parcel of land improved with a 24-year old, one and one-half-story, frame and masonry, single-family dwelling containing 2,527 square feet of living area with two and one-half baths, a partial unfinished basement, and a two and one-half car garage. The appellant argued unequal treatment in the assessment process as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of four properties suggested as comparable and located within the subject's neighborhood. The properties are described as one story, frame or masonry, single-family dwellings with between two and two and one-half baths, one or two fireplaces, and a full and unfinished basement for three of the properties. The properties range: in age from 32 to 60 years; in size from 2,232 to 2,709 square feet of living area; and in improvement assessments from \$11.20 to \$13.41 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

In addition, the appellant submitted an affidavit stating that the property was listed for sale in January 2008 for \$599,000 and later the price was dropped to \$569,900. During that time, no offers were presented and the property was taken off the market in June 2008. In September 2008 the property was again listed for sale for \$539,965 and again no offers received. Subsequently, the property was taken off the market and listed for rent. The property has been rented since January 2009 for \$2,300 per month.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's improvement assessment of \$43,363 or \$17.16 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 one-and one-half story, frame and masonry or masonry, single-family dwellings with between one and one-half and two and one-half baths, a partial or full finished or unfinished basement or unfinished basement and one fireplace for three of the comparables. The properties range: in age from 28 to 52 years; in size from 1,853 to 2,659 square feet of living area; and in improvement assessments from \$18.10 to \$24.34 per square foot of living area. Sales data was submitted for comparable #2 which sold in September 2006 for \$417,000 or \$182.26 per square foot of living area including land. 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.

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 eight properties suggested as comparable to the subject. The PTAB finds the board of review's comparable #4 and the appellant's comparables #1 and #3 most similar to the subject in size, design, construction, and location. The properties are described as one or one and one-half-story, frame or masonry, single-family dwellings with two and one-half baths, and one fireplace. The properties range: in age from 32 to 52 years; in size from 2,482 to 2,659 square feet of living area; and in improvement assessments from \$11.32 to \$18.10 per square foot of living area. In comparison, the subject's improvement assessment of \$17.16 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Marko M. Louie

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: June 22, 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.