



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

APPELLANT: Kimberly H. Dietz
DOCKET NO.: 07-24496.001-R-1
PARCEL NO.: 10-24-423-038-0000

The parties of record before the Property Tax Appeal Board are Kimberly H. Dietz, the appellant, by attorney Brian P. Liston, of Law Offices of Liston & Tsantilis, 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 a reduction 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: \$8,986
IMPR.: \$68,709
TOTAL: \$77,695

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a four year old, two-story, frame, single-family dwelling. It contains 2,893 square feet of living area and is situated on a 5,912 square foot lot. Features include a full unfinished basement, a two-car garage, and two and one-half baths.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this claim, the appellant submitted descriptions and assessment information regarding three suggested comparable properties located in the subject property's neighborhood. The suggested comparables are described as two story, frame, or frame and masonry, single-family dwellings that range in age from three to seven years old and range in size from 2,689 to 3,231 square feet of living area. Features include full unfinished basement area, two and one-half baths, and a two to three-car garage for two properties. These properties have improvement assessments that range from \$21.57 to \$24.84 per square foot of living area. The subject's improvement assessment is \$26.09 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 \$75,478 or \$26.09 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented a descriptions and assessment information regarding three suggested comparable property located in the subject's neighborhood. The suggested comparables consist of two-story, frame, or frame and masonry, three to seven year old, single-family dwellings that contain from 2,689 to 3,231 square feet of living area. Features include a full unfinished basement, a two or three car garage for two of the properties, and air conditioning. These properties have improvement assessments that range from \$22.49 to \$25.17 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. The Board further finds a reduction in the subject's assessment is 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 met this burden.

The parties submitted a total of six comparable properties for the Board's consideration. The Property Tax Appeal Board notes that the appellant's comparables #1 and #3 are the same properties as the board of review's comparables #1 and #3. The Property Tax Appeal Board finds both of these comparables and the appellant's comparable #2 as well as the board of review's comparable #2 are the most similar to the subject in size, location, and amenities. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables have improvement assessments that range from \$21.57 to \$25.17 per square foot of living area. The subject's improvement assessment of \$26.09 per square foot of living area is above the range established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is not equitable and a reduction in the subject's assessment is 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: July 20, 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.