FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Robert Stanek
DOCKET NO.: 07-25459.001-R-1
PARCEL NO.: 02-13-108-026-0000

The parties of record before the Property Tax Appeal Board are Robert Stanek, the appellant, by attorney Julie Realmuto of McCarthy Duffy of 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:	$ 8,204
IMPR.:	$ 28,443
TOTAL:	$ 36,647

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story dwelling of frame construction containing 1,841 square feet of living area. The dwelling is 44 years old. Features of the home include a partial, finished basement, central air conditioning, and a two and one-half car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as one-story frame dwellings that range in age from 37 to 51 years old. The comparable dwellings range in size from 1,861 to 2,117 square feet of living area. One of the comparables has a partial basement; two have central air conditioning; and two have a fireplace. The appellant did not include any data concerning garages for the properties. The comparables have improvement assessments ranging from $9.93 to $13.35 per square foot of living area. The subject's improvement assessment is $15.45 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 final assessment was disclosed. The board of review presented descriptions and assessment

information on four comparable properties consisting of one-story frame dwellings that are either 36 or 45 years old. The dwellings range in size from 1,802 to 1,946 square feet of living area. Each comparable has central air conditioning and a two-car garage, and three have a fireplace. Two comparables have finished basements, either full or partial; one has a full, unfinished basement; and one has a slab foundation. These properties have improvement assessments ranging from $15.38 to $15.78 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 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.

The comparables numbered two through four by the appellant differed from the subject in foundation; the comparables numbered one through three differed in age; and the comparables numbered one, three, and four were larger in size. As a result, the appellant's comparables received reduced weight in the Board's analysis. Although the comparables numbered one and three by the board of review were very similar to the subject in most respects, neither had a finished basement like the subject, and they were also newer than the subject. As a result, the comparables numbered one and three by the board of review also received reduced weight. The Board finds the comparables numbered two and four by the board of review were most similar to the subject in age, size, style, exterior construction, and basement treatment. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments of $15.45 and $15.78 per square foot of living area. The subject's improvement assessment of $15.45 per square foot of living area is identical to one of these amounts. 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.

Chairman

Member

Member

Member

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: March 23, 2010

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.