



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

APPELLANT: Jeffrey Baer
DOCKET NO.: 07-25627.001-R-1
PARCEL NO.: 04-07-401-017-0000

The parties of record before the Property Tax Appeal Board are Jeffrey Baer, the appellant, by attorney Mitchell L. Klein, of Schiller Klein PC 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: \$11,995
IMPR.: \$50,582
TOTAL: \$62,577**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 1½-story dwelling of frame and masonry construction containing 2,807 square feet of living area. The dwelling is 36 years old. Features of the home include a partial, unfinished basement, central air conditioning, a fireplace and a 2-car garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as 1½-story frame and masonry dwellings that range in age from 38 to 39 years old. The comparable dwellings range in size from 2,800 to 3,070 square feet of living area. All comparables feature partial basements, one of which is finished. All comparables feature fireplaces and 2-car garages. One comparable has central air conditioning. The comparables have improvement assessments ranging from \$15.78 to \$18.02 per square foot of living area. The subject's improvement assessment is \$21.55 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 1-story masonry dwellings that range in age from 28 to 38 years old. The dwellings range in size from 2,464 to 2,803 square feet of living area. All comparables feature full or partial, unfinished basements. All comparables have central air conditioning and 2 or 2½-car garages. Three have fireplaces. These properties have improvement assessments ranging from \$21.67 to \$24.53 per square foot of living area. The board of review also disclosed that the subject was purchased in July 2005 for \$725,000 and comparable #2 was purchased in July 2005 for \$705,000. 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.

All four comparables submitted by the board of review featured 1-story masonry dwellings. Therefore, these comparables received less weight in the Board's analysis. The Board finds the comparables submitted by the appellant were most similar to the subject in location, size, style and exterior construction. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$15.78 to \$18.02 per square foot of living area. The subject's improvement assessment of \$21.55 per square foot of living area is above the range established by the most similar comparables. Although the board of review disclosed that the subject property recently sold for \$725,000, and the subject's assessment reflects a market value of \$716,393 when applying the 2006 three year median level of assessments for Cook County Real Property Classification Ordinance class 2 property of 10.12% as determined by the Illinois Department of Revenue, the appellant's appeal was based on unequal treatment in the assessment process. The Board finds the appellant demonstrated a lack of uniformity assessment by clear and convincing evidence 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

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: December 23, 2010

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.