



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

APPELLANT: Bob Gunn
DOCKET NO.: 07-27994.001-R-1
PARCEL NO.: 03-32-314-027-0000

The parties of record before the Property Tax Appeal Board are Bob Gunn, 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 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: \$ 8,131
IMPR.: \$ 16,089
TOTAL: \$ 24,220

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is a one-story dwelling of frame and masonry construction containing 1,122 square feet of living area. The dwelling is 50 years old. Features include a slab foundation and a one-car garage. The dwelling has a property classification code of 2-03, one story, any age, 1,000 to 1,800 square feet.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as one or one and one-half story frame dwellings that range in age from 49 to 55 years old. The comparable dwellings range in size from 1,114 to 1,311 square feet of living area. One of the comparables has a basement, but the appellant did not include any data concerning garages for the properties. The comparables have improvement assessments ranging from \$12.95 to \$14.58 per square foot of living area. The subject's improvement assessment is \$20.07 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 subject's property characteristic sheet submitted by the board of review disclosed that in 2008 the property was improved

with a new, two-story, frame and masonry dwelling with 3,898 square feet of living area, a full, finished basement, central air conditioning, and a two-car attached garage. The board of review presented descriptions and assessment information on four comparable properties consisting of one and one-half story or two-story frame or frame and masonry dwellings that range in age from one to four years old. The dwellings range in size from 3,908 to 4,413 square feet of living area. Each has a full, unfinished basement, central air conditioning, one or two fireplace, and a two or three-car garage. These properties have improvement assessments ranging from \$4.61 to \$19.58 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 Board finds the comparables submitted by the board of review differed substantially from the subject in age and size, and they received little weight in the Board's analysis. For the 2007 tax year, the subject property had a property classification code of 2-03, one story, any age, 1,000 to 1,800 square feet. As a result, the appellant's comparables, despite some differences, were most similar to the subject in age, style, exterior construction, and size. 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 \$12.95 to \$14.58 per square foot of living area. The subject's improvement assessment of \$20.07 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

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: March 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.