



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

APPELLANT: Mary Jane Kirkby
DOCKET NO.: 07-28086.001-R-1
PARCEL NO.: 06-34-411-039-0000

The parties of record before the Property Tax Appeal Board are Mary Jane Kirkby, the appellant, by attorney Dennis M. Nolan of Dennis M. Nolan, P.C. in Bartlett; 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: \$8,671
IMPR.: \$56,515
TOTAL: \$65,186**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of masonry construction containing 3,354 square feet of living area¹. The dwelling is 7 years old. Features of the home include a full 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 a building permit application submitted by general contractor, TRACOR Homes that indicates the subject contains 3,354 square feet of living area. The appellant also submitted a list from the Cook County Assessor's Office providing, Property Index numbers, addresses, unit class codes, neighborhood codes and assessed values for 31 properties. No other descriptive information on the comparables was provided. The subject's improvement assessment is \$20.05 per square foot of living area based on 3,354 square feet of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

¹ The property record card indicates an incorrect square feet of living area of 4,219 for the subject.

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 two-story frame or masonry dwellings that are 4 or 7 years old. The dwellings have 3,936 or 4,389 square feet of living area. Each comparable has a full basement of which two basements are finished with a recreation room. Each comparable has central air conditioning, a fireplace and a 3-car garage. These properties have improvement assessments ranging from \$14.56 to \$16.85 per square foot of living area. The board of review's grid depicted the subject dwelling as having 4,219 square feet of living area as shown on the subject's property record card, but no floor plan, or sketch with measurements to support this figure was provided. The board of review's evidence also includes the building permit application which indicates the subject has 3,354 square feet 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 a reduction is warranted.

The Board first finds the subject dwelling contains 3,354 square feet of living area as found in both parties' evidence. The Board finds comparable #1 submitted by the board of review was most similar to the subject in location, and age. Due to the similarities to the subject, this comparable received the most weight in the Board's analysis. This comparable had improvement assessments of \$16.85 per square foot of living area. The subject's improvement assessment of \$20.05 per square foot of living area is above the most similar comparable. 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: January 21, 2011

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.