



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

APPELLANT: Hugo Brandstetter
DOCKET NO.: 07-28519.001-R-1
PARCEL NO.: 14-33-414-005-0000

The parties of record before the Property Tax Appeal Board are Hugo Brandstetter, the appellant, by attorney David R. Bass of Thompson Coburn LLP in 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: \$ 13,173
IMPR.: \$ 105,879
TOTAL: \$ 119,052

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story row house of masonry construction containing 3,039 square feet of living area. The dwelling is 125 years old and has a full, unfinished basement.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on nine comparable properties described as three-story masonry row houses that range in age from 77 to 117 years old. The comparables have the same assigned neighborhood code as the subject. The comparable dwellings range in size from 2,898 to 3,545 square feet of living area. Seven dwellings have full unfinished basements, and two have slab foundations. Each comparable has from one to three fireplaces, and five dwellings have central air conditioning. The comparables have improvement assessments ranging from \$23.96 to \$28.34 per square foot of living area. The subject's improvement assessment is \$34.84 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 three-story masonry row houses. Two of the comparables have the same assigned neighborhood code as the subject, and one is located on the same tax block as the subject. Each dwelling is 118 years old, and they range in size from 1,946 to 3,020 square feet of living area. Each comparable has a full unfinished basement, and two dwellings have central air conditioning and two fireplaces. These properties have improvement assessments ranging from \$34.97 to \$43.93 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.

All of the thirteen comparables submitted by both parties were three-story masonry row houses. Eight of the appellant's comparables were over forty years newer than the subject and received reduced weight in the Board's analysis. The comparables numbered two and three by the board of review were much smaller than the subject and also received reduced weight. The Board finds that the comparable numbered four by the board of review was the most similar to the subject in location and size, and it was also very similar in age. The comparable numbered one by the board of review, despite being somewhat smaller than the subject, was also very similar in location and age. The appellant's comparable numbered one, despite differing in foundation, was also very similar in age 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 \$23.96 to \$37.28 per square foot of living area. The subject's improvement assessment of \$34.84 per square foot of living area falls within 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 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerbis

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 18, 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.