FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Mary Smithe
DOCKET NO.: 07-28788.001-R-1
PARCEL NO.: 01-03-400-018-0000

The parties of record before the Property Tax Appeal Board are Mary Smithe, the appellant, by attorney James E. Doherty, of Thomas M. Tully & Associates 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:	$ 26,136
IMPR.:	$ 111,545
TOTAL:	$ 137,681

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 217,800 square feet of land improved with a 39-year old, two-story, frame and masonry, single-family dwelling. The improvement contains 5,033 square feet of living area as well as three full and one half-baths, a partial basement, two fireplaces, and a three-car garage.

The appellant argued that there was unequal treatment in the assessment process of the subject's improvement as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptive and assessment data for four suggested comparables as well as property characteristic printouts for these properties. They are improved with a two-story, single-family dwelling of frame, masonry or frame and masonry exterior construction. They range: in bathrooms from three full to five full and five half-baths; in age from 14 to 75 years; in improvement size from 5,010 to 10,633 square feet of living area; and in improvement assessments from $17.44 to $18.66 per square foot after correcting the appellant's calculations. In comparison, the subject's improvement assessment is $22.16 per square foot of

living area. Three of the four properties included from one to four fireplaces, while all of the properties contain basement area and a multi-car garage. Based upon this analysis, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was $137,681. The board of review submitted descriptive and assessment data relating to four suggested comparables located in the subject's neighborhood. The properties are improved with a two-story, masonry, single-family dwelling. They range: in bathrooms from three full and one half-baths to six full and two half-baths; in age from 3 to 80 years; in improvement size from 5,524 to 6,361 square feet of living area; and in improvement assessments from $23.25 to $28.29 per square foot. The properties include basement area, two or three fireplaces and a four-car garage.

In addition, the data reflected that property #3 sold in July, 2005, for a price of $2,400,000 or $377.30 per square foot. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the arguments as well as reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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 data, the Board finds that the appellant has not met this burden.

Upon due consideration of the evidence submitted by the parties, the Board finds that the appellant's comparable #1 and the board of review's comparables #1, #2, and #4 are most similar to the subject in style, exterior construction, improvement size, and/or amenities. In analysis, the Board accorded most weight to these comparables, which range in improvement assessments from $17.44 to $26.54 per square foot of living area. The subject's improvement assessment at $22.16 per square foot is within the range established by these comparables.

Therefore, the Board finds that the appellant has not demonstrated that the subject is inequitably assessed and that 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: November 30, 2012

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.