



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

APPELLANT: Geoff Ruttenburg  
DOCKET NO.: 07-28989.001-R-1  
PARCEL NO.: 14-33-129-033-0000

The parties of record before the Property Tax Appeal Board are Geoff Ruttenburg, the appellant(s), by attorney Steven B. Pearlman, of Steven B. Pearlman & Associates 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:

<b>LAND:</b>	\$22,566
<b>IMPR.:</b>	\$131,178
<b>TOTAL:</b>	\$153,744

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 2,985 square foot parcel of land improved with a one year old, three-story, masonry, single-family dwelling with 4,800 square feet of living area, four full and two half baths, air conditioning, three fireplaces, and a full finished basement. The appellant argued unequal treatment in the assessment process and that the market value of the subject property is not accurately reflected in its assessed value as the bases of this appeal.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of three properties suggested as comparable and located within a block and a half of the subject. The properties are described as masonry, single-family dwellings with three and a half to five full and two half baths, air conditioning, one to three fireplaces. The properties are four to fourteen years old with 4,400 to 4,940 square feet of living area and have improvement assessments from \$35.31 to \$41.56 per square foot of living area.

In support of the market value argument, the appellant submitted a brief asserting that the subject property was in 2003 and the existing dwelling was demolished. The brief also asserts that a new dwelling was constructed on the property for approximately \$1,300,000 and completed in December 2006. To support this, the appellant submitted a copy of a sworn contractor statement listing total contract and extra cost of \$1,306,552 and a copy of an affidavit from the appellant attesting that the subject property's prior dwelling was demolished in 2004 and a new home was built and completed in 2006 for approximately \$1,250,000. Based on the 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 improvement assessment of \$217,684 or \$45.35 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within the subject's neighborhood and two are within a quarter mile of the subject. The properties are described as three-story, masonry, single-family dwellings with four and a half to five full and two half baths, full finished basements, air conditioning, and two or three fireplaces. The properties are one to four years old with 4,585 to 4,961 square feet of living area and have improvement assessments of \$10.84 to \$62.86 per square foot of living area.

The board of review also included a printout listing the property index number, the deed number, the sale date and the amount of sale on 20 properties located in the subject's neighborhood that sold between 1994 and 2007. The lists shows the subject's October 2003 sale for \$900,000. 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.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the evidence indicates a reduction is warranted.

The PTAB finds the best evidence of the subject improvement's market value to be the construction costs. The evidence in its entirety shows that the subject was built for \$1,306,552 in construction costs. Therefore, the PTAB finds the subject improvement's market value to be \$1,306,552. Since market value has been determined, the Illinois Department of Revenue 2007 three year median level of assessment for class 2 property of 10.04% shall apply to the improvement and a reduction 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.

*Donald R. Cuit*

Chairman

*Frank J. Huff*

Member

*Mark Morris*

Member

*J.R.*

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: May 18, 2012

*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.