



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

APPELLANT: Charles Schultz
DOCKET NO.: 07-29174.001-R-1
PARCEL NO.: 12-36-426-052-0000

The parties of record before the Property Tax Appeal Board are Charles Schultz, the appellant, by attorney Thomas P. Cerone in Elmwood Park, 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: \$7,649
IMPR.: \$36,515
TOTAL: \$44,164

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 2-story dwelling of frame and masonry construction containing 2,063 square feet of living area. The dwelling is 48 years old and has either a slab foundation or a full, finished basement¹. Features of the home include 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 information on three comparable properties described as class 2-05 or 2-06 frame and masonry dwellings all 65 years old. The comparable dwellings range in size from 2,060 to 2,240 square feet of living area. One comparable has a partial, unfinished basement, one is on a slab foundation, and one is on a crawl-space foundation. Two of the comparables feature central air conditioning. All have 1½ or 2-car garages. The comparables have improvement assessments ranging from \$14.03 to \$14.39 per square foot of living area. The subject's improvement assessment is \$17.92 per square foot of

¹ The appellant lists the foundation as full, finished basement. The property characteristics sheet lists the foundation as slab. The photographic evidence submitted by the board of review supports the appellant's claim that the property has a basement.

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 2-story frame and masonry dwellings that range in age from 56 to 61 years old. The dwellings range in size from 2,043 to 2,337 square feet of living area. All comparables feature full or partial basements, two of which are finished. All have central air conditioning. Three of the comparables feature 1 or 2-car garages, and one comparable has a fireplace. These properties have improvement assessments ranging from \$17.68 to \$18.10 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.

All comparables submitted by both parties were 2-story frame and masonry dwellings similar to the subject in size and age and in close proximity to the subject. The Board accepts the appellant's claim that the dwelling has a full, finished basement, and therefore finds comparables #1 and #4 submitted by the board of review were most similar to the subject in features. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments of \$17.68 and \$17.76 per square foot of living area respectively. The subject's improvement assessment of \$17.92 per square foot of living area is above these 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: December 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.