



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

APPELLANT: Tom, Bill & Spyro Vaselopulos
DOCKET NO.: 07-29798.001-C-1
PARCEL NO.: 13-36-107-040-0000

The parties of record before the Property Tax Appeal Board are Tom, Bill & Spyro Vaselopulos, the appellants, by attorney Michael Elliott of Elliott & Associates, P.C., in Des Plaines, 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: \$9,074
IMPR: \$0
TOTAL: \$9,074

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is an unimproved commercial lot containing 2,388 square feet of land area. The parcel is classified as Class 1-00 vacant land under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") and is located in Chicago, West Township, Cook County.

The appellants' appeal is based on unequal treatment in the assessment process. The appellants, through legal counsel, submitted information on three suggested comparable parcels. Each is said to be located in the same neighborhood code assigned by the assessor as the subject property and each is said to be a Class 1-00 property under the Ordinance. Comparables #1 and #2 with land assessments of \$3.80 and \$3.79 per square foot of land area are located on the same block as the subject property.

The parcels range in size from 2,400 to 3,000 square feet of land area with land assessments ranging from \$9,108 to \$11,198 or from \$3.47 to \$3.80 per square foot of land area. The subject's land assessment is \$26,268 or \$11.00 per square foot of land area. Based on this evidence, the appellant requested a reduction in

the subject's land assessment to \$8,788 or \$3.68 per square foot of land area which is asserted to be the average of the three land comparables presented on a per-square-foot basis.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$26,268 was disclosed.

In support of the subject's estimated market value as reflected by its assessment, the board of review presented a memorandum along with a spreadsheet of six suggested comparable sales and a spreadsheet of seven comparables where the assessments have been converted to an estimated of market value. Since the appellants' appeal is based on lack of assessment uniformity, the Board finds the spreadsheet data on six sales comparables is not responsive to the appeal and will not be further examined in this decision.

As to the seven comparables with assessment data converted to market value, the Board finds that each parcel is located on the same street as the subject, has the same Class of 1-00 under the Ordinance and is deemed to be a commercial lot like the subject. These seven parcels range in size from 630 to 9,000 square feet of land area. Converting their estimated market values at the 22% level of assessment reflects land assessments ranging from \$6,930 to \$99,000 or \$11.00 per square foot of land area.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, besides noting the non-responsive nature of the sales data submitted by the board of review, counsel for the appellants addressed each of the seven suggested comparable properties presented by the board of review. As to comparables #1, #2, #5 and #6 the appellants contend these properties differ from the subject in size and/or assigned neighborhood code from the subject property and therefore should be afforded less weight. Moreover, reportedly in 2007 comparable #1 was no longer a "valid" parcel number. In 2007, comparable #6 reportedly had been improved with a structure making it an invalid comparison to the subject. As to board of review comparable #7, the appellants presented data indicating this was actually a Class 1-90 property, dissimilar to the subject's Class 1-00 classification and should be given less weight.

As to board of review comparables #3 and #4, the appellants acknowledged these parcels are similar in location, classification and size to the subject property. Moreover, these parcels were presented as appellant's comparables #2 and #1, respectively. However, based on attached printouts from the assessor's office for these properties, the board of review incorrectly reported the 2007 land assessments of these properties. The attached documentation reveals these parcels had 2007 final board of review land assessments of \$11,198 and \$9,108, respectively, or \$3.79 and \$3.80 per square foot of land area.

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 land assessment is warranted.

The appellants contend unequal treatment in the subject's land 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellants met this burden.

The parties submitted a total of eight suggested equity comparables for the Board's consideration. The Board has given most weight to appellants' comparables #1 and #2 which were also presented by the board of review as its comparables #3 and #4. These parcels are on the same street as the subject, are similar in size to the subject and are Class 1-00 properties like the subject. The best evidence in the record reveals that these two comparables had 2007 land assessments of \$9,108 and \$11,198, respectively, or \$3.80 and \$3.79 per square foot of land area. The subject's land assessment of \$26,268 or \$11.00 per square foot of land area is substantially above the land assessments of the most similar comparables on this record. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's land assessment is not equitable and a reduction in the subject's land 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: April 20, 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.