



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

APPELLANT: Joe Torres
DOCKET NO.: 08-20159.001-R-1
PARCEL NO.: 19-13-325-031-0000

The parties of record before the Property Tax Appeal Board are Joe Torres, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. 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: \$ 3,749
IMPR.: \$ 23,452
TOTAL: \$ 27,201

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story, mixed-use and multi-family building of masonry construction containing 3,000 square feet of building area. The building is 80 years old. Features of the building include four apartment units, a commercial unit, a partial unfinished basement, central air conditioning, and a one-car garage. The subject is classified as a class 2-12 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Chicago, Lake Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as one and one-half or two-story, mixed-use and multi-family buildings of masonry construction. The comparable properties have the same neighborhood and classification codes as the subject. The buildings range in age from 45 to 86 years old and contain from 2,145 to 4,659 square feet of building area. Each of the buildings has from two to four apartment units, a commercial unit, and an unfinished basement, either full or partial. Two comparables have a garage, and one has central air conditioning. The comparables have improvement assessments ranging from \$11,150 to \$28,248 or \$5.20 to \$6.06 per square foot of building area. The subject's

improvement assessment is \$23,452 or \$7.82 per square foot of building area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$17,235 or \$5.75 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$27,201 was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story, multi-family and multi-use buildings of masonry construction. The comparables all have the same neighborhood and classification codes as the subject. The buildings range in age from 79 to 88 years old and contain from 2,850 to 3,223 square feet of building area. Each of the buildings has either three or four apartment units, one commercial unit, a garage, and an unfinished basement, either full or partial. One building has central air conditioning. These properties have improvement assessments ranging from \$23,807 to \$25,193 or \$7.67 to \$8.35 per square foot of building 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.

Both parties presented assessment data on a total of eight equity comparables. All of the comparables submitted are multi-family and mixed-use buildings located in the same neighborhood as the subject. However, the appellant's comparables differed substantially from the subject in age or size. Comparable #2 was much newer; comparable #3 was much larger; and comparables #1 and #4 were considerably smaller. Consequently, the appellant's comparables received reduced weight in the Board's analysis. The Board finds the comparables submitted by the board of review were very similar to the subject 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 ranging from \$7.67 to \$8.35 per square foot of building area. The subject's improvement assessment of \$7.82 per square foot of building 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.

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: July 19, 2013

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.