FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Manuel Santiago
DOCKET NO.: 08-20194.001-R-1
PARCEL NO.: 15-12-100-006-0000

The parties of record before the Property Tax Appeal Board are Manuel Santiago, the appellant(s), by attorney Edward Larkin, of Larkin & Larkin in Park Ridge; 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:	$ 23,552
IMPR.:	$ 125,452
TOTAL:	$ 149,004

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 18,400 square feet of land and contains two improvements. Improvement #1 is a 93 year old, two-story, masonry, single-family dwelling. It has 5,238 square feet of living area. Improvement #2 is a 93 year-old, two story, masonry single-family dwelling. It has 759 square feet of living area. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the subject improvements as the basis of this appeal.

As a preliminary matter, the Board notes that Improvement #1's assessment is $104,968 which equates to an improvement assessment of $20.04 per square foot of living area. Improvement #2's assessment is $20,484 which equates to an improvement assessment of $26.99 per square foot of living area.

With regard to Improvement #1, the appellant submitted descriptive and assessment information for three properties

suggested as comparable to the subject. The comparables are described as two-story, frame or frame and masonry, single-family dwellings. Additionally, the comparables range: in age from 82 to 126 years; in size from 5,120 to 7,975 square feet of living area; and in improvement assessment from $15.04 to $20.15 per square foot of living area. The comparables also have various amenities. Based on this evidence, the appellant requested a reduction in the subject Improvement #1's improvement assessment.

The appellant did not submit any comparables for Improvement #2.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal." With regard to subject Improvement #1, the board of review submitted descriptive and assessment information for three properties. The comparables are described as two-story, masonry, single-family dwellings. Additionally, the comparables range: in age from four to 87 years; in size from 5,200 to 5,711 square feet of living area; and in improvement assessment from $16.08 to $20.06 per square foot of living area. The comparables also have several amenities. Based on this evidence, the board of review requested confirmation of subject Improvement #1's assessment.

With regard to subject Improvement #2, the board of review submitted descriptive and assessment information for five properties. The comparables are described as two-story, frame, masonry, or stucco, single-family dwellings. Additionally, the comparables range: in age from 64 to 97 years; in size from 1,320 to 1,702 square feet of living area; and in improvement assessment from $31.21 to $33.74 per square foot of living area. The comparables also have several amenities. Based on this evidence, the board of review requested confirmation of subject Improvement #2's assessment.

In rebuttal, the appellant stated that all of the board of review's comparables are assessed lower than the subject.

After reviewing the record and considering the evidence, the Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

The appellant contends unequal treatment in the subject improvements' assessments as the basis of this 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. Walsh v. Prop. Tax Appeal Bd., 181 Ill. 2d 228, 234 (1998) (citing Kankakee Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 131 Ill. 2d 1 (1989)); 86 Ill. Admin. Code § 1910.63(e). To succeed in an appeal based on lack of uniformity, the appellant must submit documentation "showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property." Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 403 Ill. App. 3d 139, 145 (1st Dist. 2010); 86 Ill. Admin. Code § 1910.65(b). "[T]he critical consideration is not the number of allegedly similar properties, but whether they are in fact 'comparable' to the subject property." Cook Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 403 Ill. App. 3d at 145 (citing DuPage Cnty. Bd. of Review v. Prop. Tax Appeal Bd., 284 Ill. App. 3d 649, 654-55 (2d Dist. 1996)). After an analysis of the assessment data, the Board finds that the appellant has not met this burden.

As to Improvement #1, the Board notes that the parties submitted the same property for comparable #3. The Board finds that Comparables #2, and #3 submitted by the appellant, and all of the comparables submitted by the board of review were most similar to the subject in location, size, style, exterior construction, features, and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from $16.08 to $20.15 per square foot of living area. The subject's improvement assessment of $20.04 per square foot of living area is within the range established by the most similar comparables. Therefore, after considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds that the subject's improvement assessment is equitable, and a reduction in subject #1’s improvement assessment is not warranted.

As to Improvement #2, the Board finds that Comparables #3, #4, and #5 submitted by the board of review were most similar to the subject in location, size, style, exterior construction, features, and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from $31.21 to $32.02 per square foot of living area. The subject's improvement assessment of $26.99 per square foot of living area is below the range established by the most similar comparables. Therefore, after considering adjustments and differences in both parties' comparables when compared to the subject, the Board finds that the subject's improvement

assessment is equitable, and a reduction in subject #2's improvement 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: January 24, 2014

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.