



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

APPELLANT: 706 Main Street, LLC  
DOCKET NO.: 08-20579.001-R-1 through 08-20579.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 706 Main Street, LLC, the appellant(s), by attorney Allen A. Lefkovitz, of Allen A. Lefkovitz & Assoc. 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 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-20579.001-R-1	11-19-303-008-0000	12,749	50,471	\$63,217
08-20579.002-R-1	11-19-303-035-0000	7,886	229	\$8,115

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property has 6,250 square feet of land, which is improved with a 101 year old, two-story, masonry, mixed-use building containing 5,200 square feet of building area. The building includes two and one-half baths and a partial unfinished basement. The appellant's appeal is based on unequal treatment in the assessment process.

In support of the equity argument, the appellant submitted descriptive and assessment information on seven properties suggested as comparable to the subject. These properties are described as two-story, masonry, mixed-use buildings that range in age from 101 to 139 years old, and in size from 5,372 to 9,200 square feet of building area. These suggested comparables have improvement assessments ranging from \$3.79 to \$10.06 per square foot of building area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$77,495 was disclosed. In support of the subject's assessment, the board of review presented descriptive and assessment information on two properties suggested as comparable to the subject. These properties are described as two-story, masonry,

mixed-use buildings that are both 119 years old, and contain either 3,700 or 3,969 square feet of building area. Both of the suggested comparables have four and one-half baths, and a partial unfinished basement. Additionally, one has air conditioning. These suggested comparables have improvement assessments of \$12.89 and \$13.16 per square foot of building area. The subject's assessment is \$12.45 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant reaffirmed the evidence previously submitted.

At hearing, the appellant, represented by Allen A Lefkovitz and Chris D. Sarris, re-affirmed the evidence previously submitted. Mr. Sarris also stated that the subject's 2009 assessment was \$73,871, but was unable to provide the Board with any evidence of that assessment. The Cook County Board of Review Analyst, Paul Lee, rested on the evidence previously submitted. On cross-examination, Mr. Lee testified that the two comparables submitted by the board of review had various differences with 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's improvement assessment 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 Du Page 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 date, the Board finds that the appellant has met this burden.

The Board finds that Comparables #2, #5, and #6 submitted by the appellant were most similar to the subject in location, size, style, exterior construction, features, and 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 \$7.59 to \$10.03 per square foot of building area. The subject's improvement

assessment of \$12.45 per square foot of building area is above 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 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.

*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: October 19, 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.