



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

APPELLANT: Edward Salomon
DOCKET NO.: 08-23880.001-R-1
PARCEL NO.: 14-33-413-016-0000

The parties of record before the Property Tax Appeal Board are Edward Salomon, the appellant(s), by attorney Brian S. Maher, of Weis, DuBrock & Doody 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:

LAND: \$ 20,700
IMPR.: \$ 103,746
TOTAL: \$ 124,446

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 2,500 square foot parcel of land improved with two buildings. Improvement #1 is a 119-year old, three-story, masonry, multi-family dwelling containing 3,301 square feet of living area, six apartment units, six full and five half baths, five fireplaces, and a full, finished basement. Improvement #2 is a 119-year old, one-story, frame, single-family dwelling containing 704 square feet of living area, one bath, air conditioning, a fireplace, and a full, unfinished basement. The appellant argued, via counsel, unequal treatment in the assessment process of the improvement as the basis of the appeal.

In support of the equity argument, the appellant, via counsel, submitted information on a total of four properties suggested as comparable and located in subject's neighborhood. The properties are described as two-story, masonry or frame, multi-family dwellings with between two and five baths, air conditioning for three properties, and a fireplace for three. No basement information was provided. The properties range: in age from 115 to 128 years; in size from 3,446 to 4,941 square feet of living

area; and in improvement assessments from \$16.99 to \$20.95 per square foot of 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 total assessment of \$141,179 was disclosed. The evidence show that improvement #1 has an improvement assessment of \$85,889 or \$26.01 per square foot of living area and improvement #2 has an improvement assessment of \$34,590 or \$49.13 per square foot of living area were disclosed. In support of the subject's assessment, the board of review presented the property characteristic printouts for the subject. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney acknowledged that there are two improvements on the property and asserted that the appellant is only appealing the multi-family dwelling.

After reviewing the record and considering the testimony, 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 not met this burden.

As to improvement #1, the appellant submitted a total of four properties suggested as comparable to the subject. The PTAB finds these comparables similar to the subject. The properties are two-story, masonry or frame, multi-family dwellings with between two and five baths, air conditioning for three properties, and a fireplace for three. The properties range: in age from 115 to 128 years; in size from 3,446 to 4,941 square feet of living area; and in improvement assessments from \$16.99 to \$20.95 per square foot of living area. In comparison, the subject's improvement assessment of \$26.01 per square foot of living area is above the range of these comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the PTAB finds the subject's per square foot improvement assessment is not supported and a reduction in improvement #1's assessment is warranted.

As to improvement #2, the appellant's attorney indicated at hearing that the appellant is not appealing the assessment allocated to this improvement. Therefore, the PTAB finds a reduction in Improvement #2'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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerbis

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: August 19, 2011

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.