



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

APPELLANT: Morton Balaban
DOCKET NO.: 08-24080.001-R-1
PARCEL NO.: 14-33-331-025-0000

The parties of record before the Property Tax Appeal Board are Morton Balaban, the appellant, by attorney Lisa A. Marino, of Marino & Assoc., PC 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: \$ 29,126
IMPR.: \$ 139,808
TOTAL: \$ 168,934

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 4,440 square foot parcel of land improved with a 19-year old, three-story, masonry, multi-family dwelling. The improvement contains 7,020 square feet of living area as well as six apartments and a three-car garage.

The appellant's attorney argued that there was unequal treatment in the assessment process as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptive and assessment data for three suggested comparables located within an eight block radius from the subject. The properties were improved with a three-story, masonry, multi-family dwelling. They range: in units from four to six apartments; in age from 102 to 135 years; in size from 5,781 to 6,879 square feet of living area; and in improvement assessments from \$15.80 to \$17.69 per square foot. Properties #2 and #3 each contain a full basement and a two-car garage. The subject's improvement assessment is \$19.92 per square foot of living area. Based upon this analysis, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$168,934. The board of review submitted descriptive and assessment data relating to four suggested comparables located in the subject's subarea. The properties are improved with a three-story, masonry, multi-family dwelling. They range: in units from three to six apartments; in age from 60 to 127 years; in size from 5,388 to 6,004 square feet of living area; and in improvement assessment from \$20.57 to \$27.06 per square foot. The properties include a full basement, while properties #1 and #2 contain a two-car garage.

In addition, the board's analysis indicated that property #2 sold in August, 2006, for a price of \$1,260,000 or \$209.86 per square foot. Moreover, the board of review submitted characteristics printouts for the subject as well as the suggested comparables. The subject's printouts reflect that the subject is improved with a six-unit apartment building and that the taxpayer-owner resides at a different location than the subject property. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the arguments as well as reviewing the evidence, the Property Tax Appeal 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 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 data, the Board finds that the appellant has not met this burden.

The Board finds that comparables #1 and #2 submitted by the appellant as well as comparables #1 and #3 submitted by the board of review are most similar to the subject in style, exterior construction, and improvement size. In analysis, the Board accorded most weight to these comparables. These comparables ranged in improvement assessments from \$15.80 to \$27.06 per square foot of living area. The subject's improvement assessment at \$19.92 per square foot is within the range established by these comparables.

The Board accorded diminished weight to the remaining properties due to a disparity in improvement size and/or age.

As a result of aforementioned analysis, the Board finds the appellant has not demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and that 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Member

J.R.

Acting 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: December 23, 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.