



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

APPELLANT: Ronald Jabaay
DOCKET NO.: 08-27151.001-R-1
PARCEL NO.: 29-15-404-011-0000

The parties of record before the Property Tax Appeal Board are Ronald Jabaay, the appellant, by attorney William I. Sandrick, of Sandrick Law Firm LLC in South Holland; 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: \$ 1,920
IMPR.: \$ 9,836
TOTAL: \$ 11,756

Subject only to the State multiplier as applicable.

ANALYSIS

The subject has 3,200 square feet of land, which is improved with an 85 year old, frame, single-family dwelling. In the appellant's initial submission, the grid sheet indicated that the subject contained 720 square feet. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the subject's improvement and that the assessor's records overstate the subject's living area as the bases of appeal.

In support of the equity argument, the appellant submitted descriptive and assessment information for three properties suggested as comparable to the subject. The comparables are described as one-story, single-family dwellings. They contain from 772 to 948 square feet of living area, and have improvement assessments ranging from \$3.36 to \$4.60 per square foot of living area. The comparables also have several amenities. In addition, the appellant's affidavit indicates the subject is a one-story home that has one bedroom and no attic. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's improvement assessment of \$9,836 was disclosed. The board submitted a copy of

the subject's property record card. The record card indicates the subject is a one and one-half story single-family home that contains 980 square feet of living area. The board also submitted a photograph of the subject property that shows the home contains one and one-half stories.

In support of the subject's assessment, the board of review submitted descriptive and assessment information for four properties suggested as comparable to the subject. The comparables are described as one and one-half-story, frame, single-family dwellings. They range: in age from 60 to 79 years; in size from 744 to 899 square feet of living area; and in improvement assessment from \$9.77 to \$11.27 per square foot of living area. The comparables also have several amenities. Based on this evidence, the board of review requested confirmation of the subject's improvement assessment.

In rebuttal, the appellant's attorney submitted a map showing the location of the subject as well as the appellant's and board of review's comparables. The appellant's attorney also submitted an affidavit, signed by the appellant, indicating the appellant measured the subject property and that the house contains one-story, has one bedroom, no attic, and has dimensions of 20 feet by 36 feet for a total of 720 square feet of living area.

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 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.

Initially, the Board finds that the appellant has not provided sufficient evidence that the subject is a one-story house that contains 720 square feet of living area. The appellant did not submit any photographs of the exterior or interior of the subject

property, nor did the appellant submit a plat of survey. The board of review's photograph clearly shows that the subject is a one and one-half story house. The photo also shows that there is a window on the upper level. Based on the evidence in the record, the board finds that the subject is a one and one half-story single family home that contains 980 square feet of living area.

As to the appellant's equity argument, the Board finds that all of the comparables submitted by both parties 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 \$3.36 to \$11.27 per square foot of living area. The subject's improvement assessment of \$10.04 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 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.