



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

APPELLANT: Donald Southworth
DOCKET NO.: 09-20028.001-R-1
PARCEL NO.: 16-06-302-005-0000

The parties of record before the Property Tax Appeal Board are Donald Southworth, the appellant; 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: \$ 7,838
IMPR.: \$ 50,939
TOTAL: \$ 58,777

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 9,222 square foot parcel improved with an 80-year-old, two-story, single-family dwelling of frame and masonry construction containing 2,660 square feet of living area and located in Oak Park Township, Cook County. Features of the residence include two and one-half bathrooms, a partial-unfinished basement, a fireplace and a two-car detached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process of the improvement as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on three properties suggested as comparable to the subject. The appellant also submitted a two-page letter, colored photographs of the subject and the suggested comparables and a copy of the board of review's decision. Based on the appellant's documents, the three suggested comparables consist of two-story, single-family dwellings of frame or frame and masonry construction located within 1.7 miles of the subject. Two of the comparables are located on the same street and block as the

subject. The improvements range in size from 2,529 to 2,960 square feet of living area and range in age from 88 to 122 years old. The comparables contain two or two and one-half bathrooms, a full-finished or unfinished basement, central air-conditioning and a two-car garage. Two comparables have a fireplace. The improvement assessments range from \$15.63 to \$16.84 per square foot of living area. The appellant's evidence disclosed that the three properties sold from October 2001 to July 2009 for prices ranging from \$335,000 to \$563,500 or from \$122.53 to \$222.82 per square foot of living area, including land. Based on the evidence submitted, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$58,777. The subject's improvement assessment is \$50,939 or \$19.15 per square foot of living area. In support of the assessment the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with two-story, single-family dwellings of stucco or frame and masonry construction with the same neighborhood code as the subject. Two of the comparables are located within one-quarter mile of the subject. The improvements range in size from 2,407 to 2,858 square feet of living area and range in age from 72 to 85 years old. The comparables contain from one and one-half to three and one-half bathrooms, a full-finished or unfinished basement, a fireplace and a one-car or two-car garage. One comparable has central air-conditioning. The improvement assessments range from \$19.72 to \$23.23 per square foot of living area. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a four-page letter with three tables highlighting the property index number, source, rate and address for fourteen suggested comparable properties. The appellant argued that the fourteen properties further supported a reduction in the subject's improvement assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

First, the Property Tax Appeal Board did not consider the new comparable properties submitted in rebuttal. Section 1910.66 (c), of the Official Rules of the Property Tax Appeal Board states in

part, "Rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties." 86 Ill. Adm. Code §1910.66(c). Therefore, the Property Tax Appeal Board is precluded from considering the new comparables submitted as rebuttal evidence.

Next, the Board finds the appellant's comparable one and the board of review's comparables one, three and four to be the most similar properties to the subject in the record. These four properties are similar to the subject in improvement size, amenities, age, design and location and have improvement assessments ranging from \$16.84 to \$21.38 per square foot of living area. The subject's per square foot improvement assessment of \$19.15 falls within the range established by these properties. The Board finds the three remaining comparables less similar to the subject in improvement size, age and/or exterior construction and accorded less weight. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported by the most similar properties contained in the record.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction 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

[Handwritten Signature]

[Handwritten Signature]

Member

Member

[Handwritten Signature]

[Handwritten Signature]

Member

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: November 18, 2011

[Handwritten Signature]

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.