



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

APPELLANT: John Hoffmeister
DOCKET NO.: 09-21140.001-R-1
PARCEL NO.: 28-28-103-043-0000

The parties of record before the Property Tax Appeal Board are John Hoffmeister, the appellant, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher 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: \$ 5,156
IMPR: \$ 0
TOTAL: \$ 5,156

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a vacant residential site with 17,189 square feet of land area. The property is located in Oak Forest, Bremen Township, Cook County. The subject is classified as a class 1-00 property under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance").

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables composed of vacant sites that ranged in size from 10,890 to 55,887 square feet of land area. The comparables had land assessments ranging from \$544 to \$2,794 or \$.05 per square foot of land area. The appellant requested the subject's land assessment be reduced to \$859 or \$.05 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$5,156 or \$.30 per square foot of land area. The subject's assessment reflects a market value of \$3.00 per square foot of land area when applying the Ordinance level of assessment for class 1-00 property of 10%.

In support of its contention of the correct assessment the board of review submitted a written narrative prepared by Mike Kenny, a licensed appraiser and Certified Illinois Assessing Official (CIAO), explaining that appellant's comparable #1 was located in a different assessment neighborhood than the subject property. He also stated the appellant's comparables are considered unbuildable; therefore, they were priced accordingly at \$.50 per square foot of land area. This price/value equates to an assessment of \$.05 per square foot when applying the Ordinance level of assessment for class 1-00 property of 10%.

Kenny also identified two comparables in the narrative that were located adjacent to the subject property with 13,023 and 17,495 square feet of land area. These comparables had land assessments of \$4,883 and \$6,560, respectively, or \$.375 per square foot of land area. The narrative indicated these two properties had land assessments reflecting a price of \$3.75 per square foot as compared to the subject which is assessed reflecting a price of \$3.00 per square foot.

The board of review also provided a list of three comparables with the same classification as the subject that each had a land assessment reflecting a value of \$3.00 per square foot of land area.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code

§1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of assessment equity to be the board of review comparables. These comparables had land assessments reflecting values of \$3.00 and \$3.75 per square foot of land area. The subject's land assessment reflects a value of \$3.00 per square foot of land area, which is supported by the best comparables in this record. The Board gave less weight to the appellant's comparables because the board of review disclosed these properties were unbuildable, unlike the subject site. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's assessment is not justified.

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

K. L. Fern

Member

Tracy 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: December 19, 2014

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.