



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

APPELLANT: Matt Just
DOCKET NO.: 09-22726.001-R-1
PARCEL NO.: 11-20-102-035-0000

The parties of record before the Property Tax Appeal Board are Matt Just, the appellant, by attorney Michael Griffin 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: \$ 19,495
IMPR.: \$ 150,480
TOTAL: \$ 169,975

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of stucco construction containing 6,336 square feet of living area. The dwelling is 99 years old. Features of the home include a full unfinished basement, central air conditioning, three fireplaces, and a two-car detached garage. The subject is classified as a class 2-09 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Evanston, Evanston Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as two-story stucco or masonry dwellings that range in age from 95 to 111 years old. The appellant did not provide any information on the proximity of the comparables to the subject property; however, each comparable has the same classification code as the subject property. The comparable dwellings range in size from 5,465 to 6,172 square feet of living area. Each comparable has central air conditioning, two fireplaces, and a two-car detached garage. The appellant did not provide any information on the comparables' foundations. The comparables have improvement assessments ranging from \$105,554 to \$145,569 or from \$17.87 to \$23.59 per square foot of living area. The subject's improvement assessment is \$150,480 or \$23.75 per square foot of living area. Based on

this evidence, the appellant requested that the subject's improvement assessment be reduced to \$113,239 or \$17.87 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$169,975 was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story stucco, frame, or masonry dwellings that range in age from 31 to 91 years old. The comparables have the same assigned neighborhood codes as the subject, but only one has the same classification code as the subject. The dwellings range in size from 3,088 to 6,540 square feet of living area. One of the comparables has a crawl-space foundation; one has a full finished basement; and two have unfinished basements, either full or partial. Each comparable has one or two fireplaces; three comparables have a garage; and three dwellings have central air conditioning. These properties have improvement assessments ranging from \$95,263 to \$155,201 or from \$23.75 to \$34.30 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's 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 Board further finds a reduction in the subject's assessment is not 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.

Both parties presented assessment data on a total of seven equity comparables. The board of review's comparables #2 through #4 were much newer and smaller than the subject. As a result, these comparables received reduced weight in the Board's analysis. The appellant's comparable #2 was smaller in size than the subject and also received reduced weight. The Board finds that the appellant's comparable #1 and #3 and the board of review's comparable #1 were the most comparable to the subject property. The appellant's comparable #3 was most similar to the subject in size. The appellant's comparable #1 and the board of review comparable #1 were most similar in exterior construction. These three comparables were also very similar in design, age, and location. Although the appellant did not provide any information on his comparables' foundations, the board of review's comparable #1 had a full unfinished basement like the subject. 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 \$105,554 to \$155,201 or from \$17.87 to \$23.73 per square foot of living area. The

subject's improvement assessment of \$150,480 or \$23.75 per square foot of living area is supported by these comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the appellant disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence. For the foregoing reasons, the Board finds that the appellant has not proven by clear and convincing evidence that the subject property is inequitably assessed. Therefore, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is correct and no reduction is 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: April 20, 2012

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.