



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

APPELLANT: John Burke
DOCKET NO.: 09-26893.001-R-1
PARCEL NO.: 05-20-215-022-0000

The parties of record before the Property Tax Appeal Board are John Burke, the appellant(s), by attorney Julie Realmuto, of McCarthy Duffy 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: \$14,025
IMPR.: \$61,393
TOTAL: \$75,418

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 9,350 square foot parcel of land improved with a 97 year old, two-story, single-family dwelling, two and a half baths, air conditioning, and a fireplace. The appellant argued unequal treatment in the assessment process as the basis of this appeal.

The appellant's evidence lists the subject as having a stucco exterior, partial basement and 1,827 square feet whereas the board of review's evidence lists the subject as having a frame exterior, full unfinished basement and 2,144 square feet of living area.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of three properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, stucco, or masonry, single-family dwellings with two or two and half baths, air conditioning for one property, one fireplace for one property and partial or unfinished basements. The properties are one to 97 years old with 1,562 to 3,350 square

feet of living area and have improvement assessments from \$13.27 to \$23.36 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's improvement assessment of \$61,393 or \$28.63 per square foot of living area was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within a quarter mile of the subject and one property is on the subject block. The properties are described as two-story, frame, or frame and masonry single-family dwellings with one and a half or three and a half baths, partial or full unfinished basements with one finished, air conditioning for two properties, and one to two fireplaces. The properties are 83 to 104 years old with 1,940 to 2,112 square feet of living area; and have improvement assessments of \$30.00 to \$34.97 per square foot of living area.

In addition, the board of review also submitted the property characteristic printout evidencing the property's square footage as 2,144 square feet, frame exterior and full unfinished basement. A photograph was not submitted. 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 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 PTAB finds the appellant has not met this burden.

As to the subject's square footage and exterior construction, the PTAB finds the appellant failed to submit any evidence to show that the county has incorrectly described the subject's square footage, basement and exterior. Therefore the PTAB finds the subject contains 2,144 square feet of living area, full finished basement and has frame exterior construction. This square footage reflects an assessment for the improvement of \$61,393 or \$28.63 per square foot.

The parties presented a total of eight properties suggested as comparable to the subject. The PTAB finds the board of review's comparables #1, #2 and #4 most similar to the subject in size, design, construction and age. The properties are described as two-story, frame, or frame and masonry single-family dwellings. The properties are 83 to 104 years old with 1,940 to 2,112 square feet of living area and have improvement assessments from \$30.00 to \$34.97 per square foot of living area. In comparison, the subject's improvement assessment of \$28.63 per square foot of living area is within the range of these comparables. Therefore, after considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the improvement 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

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: March 23, 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.