



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

APPELLANT: Gary Robertson
DOCKET NO.: 09-26954.001-R-1
PARCEL NO.: 20-14-207-001-0000

The parties of record before the Property Tax Appeal Board are Gary Robertson, the appellant(s), by attorney Mitchell L. Klein, of Schiller Klein PC 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: \$ 12,528
IMPR.: \$ 90,882
TOTAL: \$ 103,410

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 3,480 square foot parcel of land improved with an 101 year old, three story, frame and masonry, single family dwelling containing 3,564 square feet of living area. The appellant argued unequal treatment in the assessment process as the basis of this appeal.

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 frame and masonry, single family dwellings. The properties range: in age from 101 to 111 years; in size from 3,232 to 3,700 square feet of living area; and in improvement assessments from \$18.47 to \$19.97 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 \$90,882

or \$25.50 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 one property suggested as comparable and located within the subject's neighborhood. The property is described as a three story, frame/masonry, and single-family dwelling. The property is 101 years; in size: 3,251 square feet of living area; and in improvement assessment of \$32.71 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant states that the actual square footage of the subject is 4,400 square feet of living area. The appellant also claims discrepancies as to the total number of bathrooms, garage space, total room count, and the exterior construction.

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.

The parties presented a total of four properties suggested as comparable to the subject. The PTAB finds the board of review's comparable and the appellant's comparable #2 and #3 most similar to the subject in size, design, construction and age. The properties are described as frame/masonry dwellings. The properties range: in age from 101 to 111 years; in size from 3,232 to 3,372 square feet of living area; and in improvement assessments from \$19.04 to \$32.71 per square foot of living area. In comparison, the subject's improvement assessment of \$25.50 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.

As to the appellant's rebuttal that the board has listed the subject at 3,564 square feet of living area when it is actually 4,400 square feet, PTAB finds that the appellant has failed to submit convincing evidence to support this claim. The MLS sheet presented as proof does not specify if the 4,400 square feet of " great living space " includes below grade or other areas not calculated by the assessor's office. The appellant did not submit any other evidence such as a sketch, blueprints, appraisal or survey report. Therefore the PTAB finds the subject contains 3,564 square feet of living area. This square footage reflects an

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assessment for the improvement of \$90,882 or \$25.50 per square foot.

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: December 20, 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.