



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

APPELLANT: Richard Gross
DOCKET NO.: 09-29101.001-R-1 through 09-29101.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Richard Gross, the appellant; and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
09-29101.001-R-1	29-36-404-006-0000	7,800	23,444	\$ 31,244
09-29101.002-R-1	29-36-404-007-0000	7,738	23,444	\$ 31,182

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property contains two parcels containing 16,186 square feet of land improved with two buildings. Each is a two-story apartment building, containing 9,792 square feet of living area, in total area. The buildings contain 15 apartments, combined.

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 or three-story, buildings that range: in age from 38 to 44 years; in size from 4,896 to 12,012 square feet of living area; and in improvement assessments from \$3.75 to \$4.79 square feet of living area. Features include 7 to 16 apartments. The subject's improvement assessment is \$7.30 per square feet 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 final assessment of \$87,015 was disclosed. The board of review submitted a memorandum from

Matthew Caplis indicating that the market value of the property is \$543,843 or \$55.54 per square foot. It further explains that the subject's market area was surveyed for sales comparables. The comparable sales indicate an adjusted range from \$25.13 to \$259.43 per square foot, while the comparable sale price range from \$250,863 to \$2,475,000. These sales have not been adjusted for market conditions: time, location, age, size, land to building ratio, parking, zoning and other related factors. Based on this evidence, the board 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 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 met this burden.

The Board finds that the comparables submitted by the appellant to be persuasive. These comparables were similar to the subject in location, style, exterior construction, improvement size and amenities. These comparables ranged in improvement assessment from \$3.75 to \$4.79 per square foot of living area. The subject's improvement assessment is at \$7.30 per square foot of living area is above the range established by these comparables.

As a result of this analysis, the Board finds that the appellant has adequately demonstrated that the subject was inequitably assessed and that a reduction in the subject's assessment 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: June 22, 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.