



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

APPELLANT: Danulta Koltas
DOCKET NO.: 09-32696.001-R-1
PARCEL NO.: 22-28-302-012-0000

The parties of record before the Property Tax Appeal Board are Danulta Koltas, the appellant, by attorney Leonard Schiller, 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 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:

LAND: \$5,647
IMPR.: \$28,580
TOTAL: \$34,227

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a multi-level dwelling of frame and masonry construction containing 1,971 square feet of living area. The dwelling was 9 years old. Features of the home include a partial basement with finished recreation room, central air conditioning, a fireplace and a 2.5-car attached garage. The property has a 9,822 square foot site and is located in Lemont, Lemont Township, Cook County.

The appellant's appeal is based on assessment equity. The appellant submitted information on three comparable properties described as multi-level dwellings of frame and masonry construction. Two of the comparables contain 2,183 square feet of living area and are 10 years old and one comparable contains 2,245 square feet of living area and is 12 years old. Each comparable has the same neighborhood code as the subject property. Features of the comparables include a partial basement with finished recreation room, central air conditioning, a fireplace and a two-car attached garage. The comparables have improvement assessments ranging from \$27,299 to

\$29,374 or from \$12.16 to \$13.46 per square foot of living area. The subject's improvement assessment is \$31,989 or \$16.23 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$25,623 or \$13.00 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on three comparable properties improved with multi-level dwellings of frame and masonry construction that range in size from 1,436 to 1,454 square feet of living area. The dwellings were 12 and 13 years old. Each has the same neighborhood code as the subject property. Features of the comparables include a partial basement with finished recreation room area, central air conditioning, a fireplace and a two-car attached garage. These properties have improvement assessments ranging from \$27,782 to \$29,099 or from \$19.16 to \$20.01 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's attorney noted that the three comparables suggested by the board of review were each either 36% or 37% smaller in living area than the subject property.

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 assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989); 86 Ill.Admin.Code 1910.63(e). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has met this burden.

The parties to the appeal submitted a total of six comparable properties into the record for the Board's consideration. The Board gave less weight in its final analysis to the three comparables submitted by the board of review due primarily to the significant size disparity when compared to the subject

property. The three comparables were significantly smaller than the subject property. The appellant submitted three comparables that are similar to the subject in location, style, exterior construction, features and age. 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 \$12.16 to \$13.46 per square foot of living area. These buildings are slightly larger than the subject property requiring some adjustments to their respective per square foot assessments. After considering adjustments when considering the differences in the appellant's comparables when compared to the subject, the Board finds that a reduction in the subject's assessment is 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.



Chairman



Member



Member



Member



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 21, 2014



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.