



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

APPELLANT: Jeffrey Kaminski
DOCKET NO.: 09-33855.001-R-1
PARCEL NO.: 27-30-207-003-0000

The parties of record before the Property Tax Appeal Board are Jeffrey Kaminski, the appellant, by attorney Joel R. Monarch 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: \$6,735
IMPR.: \$50,456
TOTAL: \$57,191**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame and masonry construction containing 3,573 square feet of living area. The dwelling is 13 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a three-car attached garage. The property has a 12,246 square foot site and is located in Orland Park, Orland Township, Cook County.

The appellant's appeal is based on assessment equity. The appellant submitted information on four comparable properties described as two-story dwellings of masonry or frame and masonry construction that ranged in size from 3,472 to 3,718 square feet of living area. The dwellings are all 19 years old. Each comparable has the same neighborhood code as the subject property. Features of the comparables include a partial or full basement, central air conditioning, one or four fireplaces and either a 2 or 2.5-car garage. The comparables have improvement assessments ranging from \$44,264 to \$47,178 or from \$12.69 to \$13.18 per square foot of living area. The subject's improvement assessment is \$50,456 or \$14.12 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$45,901 or \$12.85 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 four comparable properties improved with two-story dwellings of frame or frame and masonry construction that range in size from 2,110 to 3,772 square feet of living area. The dwellings range in age from 7 to 56 years old. Three of the four properties have the same neighborhood code as the subject property. Three of the comparables have a full unfinished basement and the fourth is constructed over a slab foundation. Features of the comparables include central air conditioning, a fireplace and either a two or three-car garage. These properties have improvement assessments ranging from \$23,220 to \$58,541 or from \$11.00 to \$16.78 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 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 not met this burden.

The parties to the appeal submitted a total of eight comparable properties for the Board's consideration. The Board finds the subject property is superior to all of the appellant's comparables in age. The Board further finds the board of review comparables 1, 3, and 4 and appellant's comparable 4 are the most similar to the subject overall in size, exterior construction, and features. 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 \$12.77 to \$16.78 per square foot of living area. The subject's improvement assessment of \$14.12 per square foot of living area is within the range and supported by the assessments of the best comparables in this record. The Board gave diminished weight to appellant's comparables 1, 2 and 3 due primarily to age, partial basements and two-car garages compared to the subject's three-car garage. The Board also gave diminished weight to board of review comparable 2. This property is located in a different neighborhood than the subject and is considerably older and smaller than the subject property. The dwelling is also constructed over a slab foundation; dissimilar to the subject property. Based on this record the Board finds the appellant did

not demonstrate with clear and convincing evidence that the subject's improvement assessment was inequitable and a reduction in the subject's assessment is not 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Marko M. Louie

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: July 19, 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.