



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

APPELLANT: Judith Faigen
DOCKET NO.: 10-20470.001-R-1
PARCEL NO.: 16-06-325-005-0000

The parties of record before the Property Tax Appeal Board are Judith Faigen, 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: \$6,840
IMPR.: \$60,746
TOTAL: \$67,586**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of frame construction containing 2,505 square feet of living area. The dwelling is 112 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a one-car detached garage. The property has an 8,550 square foot site and is located in Oak Park, Oak Park Township, Cook County.

The appellant's appeal is based on assessment equity. The appellant submitted information on five comparable properties described as two-story dwellings of frame or stucco construction that ranged in size from 2,096 to 2,421 square feet of living area. The dwellings ranged in age from 96 to 111 years old. Each comparable has the same neighborhood code as the subject property with three located on the same street as the subject. Features of the comparables include a full unfinished basement and either one or two-car garages. Two of the comparables have central air conditioning. Two comparables have one fireplace and one comparable has two fireplaces. The comparables have improvement assessments ranging from \$40,872 to \$56,385 or from \$18.40 to \$23.37 per square foot of living area. The subject's improvement assessment is \$60,746 or \$24.25 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$53,618.

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 two-story dwellings of frame construction that range in size from 2,394 to 2,638 square feet of living area. The dwellings range in age from 105 to 126 years old. Each has the same neighborhood code as the subject property. Features of the comparables include a full basement and a two-car garage. One comparable has a finished recreation room in the basement and one comparable has a fireplace. These properties have improvement assessments ranging from \$58,092 to \$70,539 or from \$24.27 to \$27.32 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 comparables are similar to the subject in location, style, size, exterior construction, features and age. Due to their similarities to the subject, the Board has given the comparables equal weight in its analysis. The eight comparables had improvement assessments that ranged from \$18.40 to \$27.32 per square foot of living area with the comparables most similar to the subject in size having assessments ranging from \$23.22 to \$27.32 per square foot of living area. The Property Tax Appeal Board finds the subject's improvement assessment of \$24.25 per square foot of living area is within the range and supported by the assessments of the comparables in this record. The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the appellant disclosed that properties

located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence. For the foregoing reasons, the Board finds that the appellant did not demonstrate with clear and convincing evidence that the subject's improvement assessment was inequitable. Therefore, the Board finds that 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

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: August 23, 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.