



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

APPELLANT: Halsted Properties
DOCKET NO.: 06-22340.001-R-1
PARCEL NO.: 14-28-311-090-0000

The parties of record before the Property Tax Appeal Board are Halsted Properties, the appellant, 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: \$ 21,334
IMPR.: \$ 70,982
TOTAL: \$ 92,316**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a three-story multi-family and mixed-use building of masonry construction containing 4,050 square feet of living area. The building is 115 years old. Features include three apartment units, one commercial unit, a partial, unfinished basement, and central air conditioning. The subject has a classification code of 2-12 under the Cook County Real Property Assessment Classified Ordinance, Mixed commercial/residential building, 6 units or less, square feet less than 20,000.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as three-story masonry buildings that range in age from 93 to 125 years old. The appellant's comparables all have the same classification code as the subject, and two have the same neighborhood code. The comparable that has a different neighborhood code than the subject is located across the street from the subject. The comparable buildings range in size from 4,875 to 6,432 square feet of living area. Each building has three or four apartment units, one commercial unit, and a partial, unfinished basement. One building has central air conditioning. The comparables have improvement assessments

ranging from \$9.94 to \$14.12 per square foot of living area. The subject's improvement assessment is \$17.53 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 final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of three-story masonry buildings that range from 99 to 115 years old. The comparables all have the same neighborhood and classification codes as the subject. Two are located on the same block as the subject, and the other two are located one-quarter mile from the subject. The buildings range in size from 3,300 to 5,100 square feet of living area. Each of the buildings has three or four apartment units, one or two commercial units, and a partial, unfinished basement. Two buildings have central air conditioning, and one has a garage. These properties have improvement assessments that range from \$17.64 to \$20.68 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant's attorney noted that two of the comparables submitted by the board of review were larger than the subject, and two were smaller.

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 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 not met this burden.

The Board finds that all of the seven comparables submitted by both parties were very similar to the subject in age, style, exterior construction, location, and foundation. However, the appellant's comparables were larger in size than the subject and received reduced weight in the Board's analysis. The comparable numbered four by the board of review was also larger than the subject and likewise received reduced weight. The comparables numbered one through three by the board of review were most similar to the subject in size. 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 \$17.64 to \$20.68 per square foot of living area. The subject's improvement assessment of \$17.53 per square foot of living area falls below the range established by the most similar comparables. After considering adjustments and the differences

in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerski

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: May 21, 2010

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.