FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Nicholas & Karin Fink
DOCKET NO.: 06-25058.001-R-1
PARCEL NO.: 14-19-330-005-0000

The parties of record before the Property Tax Appeal Board are Nicholas & Karin Fink, the appellants, by attorney Patrick J. Cullerton, of Thompson Coburn LLP 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:	$11,846
IMPR.:	$56,550
TOTAL:	$68,396

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 2-story dwelling of masonry construction containing 2,262 square feet of living area. The dwelling is 103 years old. Features of the home include a partial, finished basement and a 2-car garage.

The appellants' appeal is based on unequal treatment in the assessment process. The appellants submitted information on eleven comparable properties described as 1½, 2 or 3-story frame, masonry, or frame and masonry dwellings that range in age from 1 to 118 years old[1]. The comparable dwellings range in size from 2,196 to 2,660 square feet of living area. Six comparables feature full basements, three of which are finished. Two have crawl-space foundations and three are built on slabs. One comparable features central air conditioning and 2 fireplaces. Eight have 2-car garages. The comparables have improvement assessments ranging from $17.31 to $34.56 per square foot of

[1] When there was a conflict between property characteristics in the appellants' grid analysis and the underlying property details sheets for the comparables, the Property Tax Appeal Board has analyzed the data found in the details sheets.

living area[2]. The subject's improvement assessment is $38.31 per square foot of living area[3]. Based on this evidence, the appellants 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 did not present any descriptions or assessment information on any comparable properties. The board of review disclosed that the subject was purchased in June, 2005 for $1,010,500. The board of review also disclosed that a permit in the amount of $200,000 was issued to convert the multi-family dwelling to a single family home. 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 warranted.

The appellants contend 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 appellants have met this burden.

Although the board of review cited the recent sale of the property as justification for its assessment, a sale does not address the issue of assessment inequity. One comparable submitted by the appellants was new construction and therefore received less weight in the Board's analysis. Seven of the eleven comparables submitted by the appellants were frame construction instead of masonry, and five lacked basements, which make these comparables inferior to the subject. The Board finds comparables #1 and #11 submitted by the appellants were most similar to the subject in size, style, exterior construction and age. Due to their similarity to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments of $17.31 and $20.46 per square foot of living area. The subject's improvement assessment of $38.31 per square foot of living area is above these two most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the

[2] Although appellants' comparable #2 is listed in the analysis grid as having an improvement assessment of $14.66, this is most likely a partial assessment due to the age of the building. The full improvement assessment, shown in the appellants' property details sheet for 2007, would be $91,926, or $34.56 per square foot of living area.

[3] The appellants' calculation of the improvement assessment is incorrect.

Board finds the subject's improvement assessment is not equitable and a reduction in the subject's assessment is warranted. In determining the correct improvement assessment for this property, the Board takes notice that the subject had recently undergone extensive renovation.

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 18, 2011

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.