



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

APPELLANT: William P. Scott Estate
DOCKET NO.: 08-23264.001-C-1 through 08-23264.012-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are William P. Scott Estate, the appellant(s), by attorney George J. Behrens, of McCracken, McCracken & Behrens, P.C. 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:

| DOCKET NO | PARCEL NUMBER | LAND | IMPRVMT | TOTAL |
|------------------|--------------------|------|---------|---------|
| 08-23264.001-C-1 | 28-30-303-021-1001 | 465 | 4,999 | \$5,464 |
| 08-23264.002-C-1 | 28-30-303-021-1002 | 465 | 4,999 | \$5,464 |
| 08-23264.003-C-1 | 28-30-303-021-1003 | 465 | 4,999 | \$5,464 |
| 08-23264.004-C-1 | 28-30-303-021-1004 | 465 | 4,999 | \$5,464 |
| 08-23264.005-C-1 | 28-30-303-021-1005 | 465 | 4,999 | \$5,464 |
| 08-23264.006-C-1 | 28-30-303-021-1006 | 465 | 4,999 | \$5,464 |
| 08-23264.007-C-1 | 28-30-303-021-1007 | 465 | 4,999 | \$5,464 |
| 08-23264.008-C-1 | 28-30-303-021-1008 | 465 | 4,999 | \$5,464 |
| 08-23264.009-C-1 | 28-30-303-021-1009 | 465 | 4,999 | \$5,464 |
| 08-23264.010-C-1 | 28-30-303-021-1010 | 465 | 4,999 | \$5,464 |
| 08-23264.011-C-1 | 28-30-303-021-1011 | 465 | 4,999 | \$5,464 |
| 08-23264.012-C-1 | 28-30-303-021-1012 | 465 | 4,999 | \$5,464 |

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a three-story, 4,622 square foot parcel of land improved with a 32-year old, 10,998 square foot, 12-unit residential condominium building. The appellant argued assessment equity as the basis of this appeal.

In support of the argument, the appellant submitted a grid sheet, property characteristics sheets, and income and expense

information for the subject property and three suggested comparable properties located in the same complex as the subject building. The comparables are three-story, 32 year old residential condominium buildings that contain 10,998 square feet of living area. They range in assessment from \$5.20 to \$6.77 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$81,600. This assessment reflects a total market value of \$408,000 or \$37.10 per square foot based upon the application of the Illinois Department of Revenue's three-year median level of assessment for tax year 2008 of 20% for class 3 property. The board of review also submitted a copy of the Cook County Assessor's office property record card for the subject. The record card indicates the subject contains 10,998 square feet of living area.

The board of review also submitted a raw sales data regarding six multifamily apartment buildings suggested as comparable to the subject. The sales occurred between May 1996 and September 2004 for prices that ranged from \$425,000 to \$675,000 or from \$64.39 to \$98.49 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued that the subject's assessment should be reduced based on the equity comparables. The appellant's attorney stated that the income and expense information provided was intended for the board of review and that the basis of the appellant's argument is assessment equity. The board of review's representative argued that the subject is fairly assessed based on the sales comparables it previously submitted.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

As to the size of the subject building, the record contains the assessor's property record card for the subject property. The record card indicates the subject contains 10,998 square feet of building area. The PTAB finds that the subject contains the living square footage listed on the subject's property record card. Based on this square footage, the subject is assessed at \$6.91 per square foot of living area.

The appellant argued assessment inequity as the basis of the appeal. Appellants 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, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include

assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. *Property Tax Appeal Board Rule* 1910.65(b). Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented, the PTAB concludes that the appellant has met this burden and that a reduction is warranted.

The record contains descriptions and assessment information on three equity comparables submitted by the appellant. The Board finds these comparables are the most similar to the subject property in size, exterior construction, and location. These comparables have improvement assessments of \$5.20 to \$6.77 per square foot of building area. The subject has an improvement assessment of \$6.91 per square foot of building area, which falls above the range established by the most similar comparables. Based on this record the Board finds a reduction in the subject's assessment based on assessment inequity is justified.

The Board gives little weight to the board of review's evidence as the data was merely raw sales data and did not address appellant's equity argument.

Lastly, the Board will correct the subject's land assessment to reflect an assessment percentage of 20% of market value based on the board of review's memo that indicated the assessor's office used the incorrect assessment percentage of 22% when to calculate the subject's land assessment.

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

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: October 18, 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.