



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

APPELLANT: Joseph Shelpman  
DOCKET NO.: 14-20186.001-R-1  
PARCEL NO.: 24-10-118-010-0000

The parties of record before the Property Tax Appeal Board are Joseph Shelpman, the appellant, by attorney John S. Xydakis, of the Law Offices of John S. Xydakis in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:** \$6,450  
**IMPR.:** \$14,488  
**TOTAL:** \$20,938

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2014 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a two-story dwelling of masonry exterior construction with 1,525 square feet of living area. The dwelling is approximately 68 years old. Features of the home include a full finished basement, central air conditioning and a two-car garage. The property has a 12,900 square foot site and is located in Oak Lawn, Worth Township, Cook County. The subject is classified as a class 2-05 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,535 to 1,649 square feet of living area and have improvement assessments ranging

from \$9,070 to \$13,901 or from \$5.58 to \$9.06 per square foot of living area. The appellant requested the total assessment be reduced to \$17,552.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,717. The subject property has an improvement assessment of \$17,267 or \$11.32 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on three equity comparables. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,262 to 1,612 square feet of living area and have improvement assessments that range from \$13,115 to \$14,312 or from \$8.45 to \$11.03 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted information on a total of six suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparable #1 due to its lack of a basement when compared to the subject property. The Board also gave less weight to the board of review's comparables #2 and #3 due to their distant location and smaller dwelling size when compared to the subject property. The Board finds the appellant's comparables #2 and #3 and the board of review's comparable #1 are more similar when compared to the subject in location, age, dwelling size, design and features. These comparables had improvement assessments that ranged from \$7.28 to \$9.06 per square foot of living area. The subject's improvement assessment of \$11.32 per square foot of living area falls above the range established by the best comparables in this record. Based on this record, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is justified.



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.