



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

APPELLANT: Brian Gilvary
DOCKET NO.: 14-20264.001-R-1
PARCEL NO.: 15-25-400-006-0000

The parties of record before the Property Tax Appeal Board are Brian Gilvary, 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 **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: \$8,085
IMPR.: \$17,279
TOTAL: \$25,364

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 1.5 story dwelling of frame and masonry exterior construction with 1,361 square feet of living area. The dwelling is approximately 73 years old. Features of the home include a full unfinished basement, a fireplace and a 1.5 car garage. The property has an 11,550 square foot site and is located in Riverside, Riverside Township, Cook County. The subject is classified as a class 2-03 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 1,612 to 1,682 square feet of living area and have improvement assessments

ranging from \$14,324 to \$16,021 or \$8.86 or \$9.94 per square foot of living area. The appellant requested the total assessment be reduced to \$20,143

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,364. The subject property has an improvement assessment of \$17,279 or \$12.70 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables. The comparables had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,394 to 1,540 square feet of living area and have improvement assessments that range from \$18,434 to \$21,263 or from \$12.76 to \$14.82 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted information on a total of seven suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables due to their older age, larger dwelling size and distant location when compared to the subject property. The appellant's area map appears to indicate that the appellant's comparables #1 and #3 are located over one mile from the subject property. The Board finds the board of review's comparables are more similar when compared to the subject in location, age, dwelling size, design, exterior construction and features. These comparables had improvement assessments that ranged from \$12.76 to \$14.82 per square foot of living area. The subject's improvement assessment of \$12.70 per square foot of living area falls below the range established by the best comparables in this record. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not 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.