



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

APPELLANT: Bodan Ferguson
DOCKET NO.: 14-21253.001-R-1
PARCEL NO.: 14-29-126-006-0000

The parties of record before the Property Tax Appeal Board are Bodan Ferguson, the appellant(s), 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: \$13,728
IMPR.: \$62,074
TOTAL: \$75,802

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 two improvements on one parcel of land. Improvement #1 is a two-story dwelling of frame construction with 3,743 square feet of living area. The dwelling was constructed in 1890. Features of the home include a full basement and central air conditioning. Improvement #2 is a one story dwelling with 480 square feet of living area. The dwelling was constructed in 1890. The property has a 3,120 square foot site and is located in Lake View Township, Cook County. The subject is classified as a class 2-11 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 four equity comparables for improvement #1. The appellant's comparables range: in building size from 3,929 to 4,281 square feet of living

area; in age from 124 to 129 years; and in improvement assessments from \$9.32 to \$10.52 per square foot of living area. No comparables were submitted for improvement #2.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$75,802. The subject property has an improvement assessment of \$62,074. The board of review indicated that the subject contains two improvements. Improvement #1 has 3,743 square feet of living area and has an improvement assessment of \$13.92 per square foot of living area. Improvement #2 has 480 square feet of living area and has an improvement assessment of \$25.46 per square foot of living area. In support of its contention of the correct assessment for improvement #1, the board of review submitted information on four equity comparables. The board of review's comparables range: in building size from 3,434 to 3,679 square feet of living area; in age from 109 to 124 years; and in improvement assessments from \$13.93 to \$15.94 per square foot of living area. The board of review indicated a second improvement on the subject property and submitted four equity comparables. These comparables range: in building size from 860 to 928 square feet of living area; in age from 119 to 126 years; and in improvement assessments from \$27.92 to \$40.37 per square foot of living area.

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.

Initially, the Board finds the taxpayer did not appeal the assessment for improvement #2, while the board of review submitted comparables in support of that assessment. As to improvement #1, the Board finds the best evidence of assessment equity to be *appellant's comparable #3 and all of the board of review's comparables*. These comparables had improvement assessments that ranged from \$9.67 to \$15.94 per square foot of living area. The subject's improvement assessment of \$13.92 per square foot of living area falls *within* 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. Since the second improvement was not appealed by the appellant, the Board will not address it further.

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



Acting Member

Member

DISSENTING: _____

CERTIFICATION

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: _____

April 21, 2017



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.