

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Donna Sarniak-Rzepka  
DOCKET NO.: 03-28154.001-R-1  
PARCEL NO.: 13-21-315-039-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Donna Sarniak-Rzepka, the appellant, by attorney Melissa Whitley of Marino & Associates, P.C. of Chicago and the Cook County Board of Review (board).

The subject property consists of a 78-year-old, one-story single-family dwelling of frame construction containing 1,262 square feet of living area and located in Jefferson Township, Cook County. The residence contains one bathroom, no basement and a two-car garage.

The appellant's attorney appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered three suggested comparable properties located within a quarter mile of the subject. These properties consist of one-story or one and part two-story single-family dwellings of frame, masonry or frame and masonry construction and range in age from 76 to 90 years. The comparables have one or two bathrooms; one comparable has air conditioning and each site has a two-car garage. No evidence of basements was offered. The comparables contain between 1,188 and 1,414 square feet of living area and have improvement assessments ranging from \$13,280 to \$14,243 or from \$7.03 to \$11.26 per square foot of living area. However, the photo submitted by the appellant discloses the subject is a masonry building with a basement. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$15,641, or \$12.39 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered three suggested

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Based on the facts and exhibits presented, 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: \$ 3,957  
IMPR. \$15,641  
TOTAL: \$19,598

Subject only to the State multiplier as applicable.

PTAB/TMcG.

comparable properties located within a quarter mile of the subject. The comparables consist of one-story single-family dwellings of frame construction and range in age from 55 to 68 years. The comparables contain one bathroom, no basements and two have one-car garages. The comparables contain between 1,130 and 1,166 square feet of living area and have improvement assessments of between \$16,742 and \$17,288 or from \$14.80 to \$14.83 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After having heard the testimony and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the PTAB finds the appellant has failed to overcome this burden.

The PTAB finds both parties submitted a total of six suggested comparables of frame, masonry or frame and masonry construction. The Assessor has assessed the subject as a no basement, frame building, whereas the appellant's photo clearly discloses a masonry building with a basement. The six suggested properties have improvement assessments ranging from \$7.03 to \$14.83 per square foot of living area. The subject's per square foot improvement assessment of \$12.39 is within this range of suggested properties. After considering the differences in the subject and in the suggested comparables when compared to the subject property, the PTAB finds the submitted evidence is insufficient to effect a change in the subject's assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has not adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and no reduction is warranted.

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: December 7, 2007



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.