

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Cheryl & Dario Nomellini
DOCKET NO.: 03-30698.001-R-1 and 03-30698.002-R-1
04-27705.001-R-1 and 04-27705.002-R-1
05-25761.001-R-1 and 05-25761.002-R-1
PARCEL NO.: 10-33-115-007 and 10-33-115-027

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Cheryl & Dario Nomellini, the appellants, by attorney Lisa Marino with the law firm of Marino and Associates in Chicago and the Cook County Board of Review.

The subject property consists of two parcels of land totaling 5,995 square feet and containing a 35-year old, frame, one-story, single-family dwelling. The improvement contains 2,458 square feet of living area and two baths. The appellants, via counsel, argued that there was unequal treatment in the assessment process of the improvement as the basis for this appeal.

The PTAB finds that all three appeals are within the same assessment triennial, involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, under the *Official Rules of the Property Tax Appeal Board, Section 1910.78*, the PTAB consolidates the above appeals.

In support of the equity argument, the appellants submitted assessment data and descriptions on a total of three properties

(Continued on Next Page)

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: See Page Three
IMPR.: See Page Three
TOTAL: See Page Three

Subject only to the State multiplier as applicable.

PTAB/0424JBV

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suggested as comparable to the subject. Black and white photographs of the subject and these properties and a brief from the appellant's attorney were also submitted. The data in its entirety reflects that the properties are located within three miles of the subject and are improved with a one or one and one-half story, frame or frame and masonry, single-family dwelling with one, two or three baths. The improvements range: in age from 42 to 77 years; in size from 2,509 to 3,943 square feet of living area; and in improvement assessments from \$10.72 to \$11.69 per square foot of living area. One property contains a partial, unfinished basement, air conditioning and a fireplace. Based upon this analysis, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$30,208, or \$12.29 per square foot of living area. The board also submitted copies of the property characteristic printouts for the subject as well as a total of seven suggested comparables located within two blocks of the subject. The board's properties contain a one-story, frame or masonry, single-family building with two baths. The improvements range: in age from 32 to 38 years; in size from 1,720 to 2,339 square feet of living area; and in improvement assessments of \$13.75 to \$17.16 per square foot of living area. One property contains a partial, unfinished basement and three properties contain air conditioning. In addition, the board submitted copies of its file from the board of review's level appeal. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this 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,

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the PTAB concludes that the appellant has not met this burden and that a reduction is not warranted.

The parties presented assessment data on a total of 10 equity comparables. The PTAB finds all the comparables similar to the subject with varying degrees in size and location. These comparables contain a one or one and one-half story, frame and masonry, masonry, or frame, single-family dwelling located within the subject's neighborhood. The improvements range: in age from 32 to 77 years; in size from 1,720 to 3,943 square feet of living area; and in improvement assessments from \$10.72 to \$17.16 per square foot of living area. In comparison, the subject's improvement assessment of \$12.29 per square foot of living area falls within the range established by these comparables.

As a result of this analysis, the PTAB further finds that the appellant has not adequately demonstrated that the subject's improvement was inequitably assessed by clear and convincing evidence and that a reduction is not warranted.

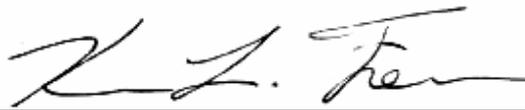
<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPROVEMENT</u>	<u>TOTAL</u>
03-30698.001-R-1	10-33-115-007	\$7,582	\$30,208	\$37,790
03-30698.002-R-1	10-33-115-027	\$7,168	\$ 0	\$ 7,168
04-27705.001-R-1	10-33-115-007	\$7,582	\$30,208	\$37,790
04-27705.002-R-1	10-33-115-027	\$7,168	\$ 0	\$ 7,168
05-25761.001-R-1	10-33-115-007	\$7,582	\$30,208	\$37,790
05-25761.002-R-1		10-33-115-027	\$7,168	\$ 0

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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

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 26, 2007



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

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"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.