

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: James Lapetina
DOCKET NO.: 04-21878.001-R-1
PARCEL NO.: 02-20-204-010-0000

The parties of record before the Property Tax Appeal Board (PTAB) are James Lapetina, the appellant, by attorney Brian Berry of Storino, Ramello & Durkin of Rosemont and the Cook County Board of Review (board).

The subject property, containing 59,024 square feet of land, consists of a six-year-old, two-story single-family dwelling of above average masonry construction containing 8,836 square feet of living area and located in Palatine Township, Cook County. The residence contains four full and two half bathrooms, a full finished basement, air conditioning, fireplaces and a four-car garage.

The appellant, through counsel, 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 one quarter to one half miles of the subject. Comparables two and three are sited on lots containing 334,715 and 171,757 square feet, respectively. These three properties consist of two-story single-family dwellings of masonry or frame and masonry construction and range in age from 12 to 34 years. The comparables have two or three bathrooms with half-baths and full basements. All homes are air-conditioned and all have fireplaces. The comparables have two or three-car garages. The comparables contain between 5,123 and 7,384 square feet of living area and have improvement assessments ranging from \$45,581 to \$74,703 or from \$6.19 to \$11.37 per square foot of living area. 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 \$149,759, or \$16.95 per square foot of living area, was disclosed. In support of the subject's assessment, the board offered two suggested comparable properties located within a quarter mile of the subject. The lots contain 42,123 and 49,702 square feet of land. The

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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: \$ 16,526
IMPR. \$149,759
TOTAL: \$166,285

Subject only to the State multiplier as applicable.

PTAB/TMcG. 01/09

comparables consist of two-story single-family dwellings of frame and masonry construction and are four or 40 years old. The comparables contain three and one half bathrooms and full basements; one has air conditioning; both have fireplaces and two or three-car garages. The comparables contain 3,580 and 4,268 square feet of living area and have improvement assessments of \$63,926 and \$74,056 or \$17.35 and \$17.85 per square foot of living area. Based on this evidence, the board requested confirmation of the subject property's assessment.

After hearing 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 five suggested comparables of which only the appellant's comparable two is somewhat similar in building area. The remaining comparables differ from the subject in living area or age or location or construction materials. The five properties have improvement assessments ranging from \$6.19 to \$17.85 per square foot of living area. The subject's per square foot improvement assessment of \$16.94 is within this range of these properties. After considering the suggested comparables when compared to the subject property, the PTAB finds the evidence is insufficient to effect a change in the subject's current assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate 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.



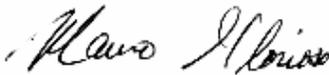
Chairman



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: January 23, 2009



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.