

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Kazimierz Krupa  
DOCKET NO.: 05-00278.001-R-1  
PARCEL NO.: 16-05-10-106-012-0000

The parties of record before the Property Tax Appeal Board are Kazimierz Krupa, the appellant; and the Will County Board of Review.

The subject property consists of a one-year-old, two-story style brick dwelling that contains 3,869 square feet of living area. Features of the home include central air-conditioning, one fireplace, a 1,190 square foot garage and a full unfinished basement.

The appellant submitted evidence to the Property Tax Appeal Board claiming unequal treatment in the assessment process regarding the subject's improvements as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of three comparable properties. The comparables were described as two-story brick dwellings, although photographs of the comparables submitted by the appellant indicate comparable 3 is a one-story home. The comparables are one year old and range in size from 3,056 to 3,750 square feet of living area. Features of the homes include at least one fireplace. The appellant's evidence did not indicate if the comparables have basements or garages, although the photographs depict at least one comparable with an attached garage. No other descriptive information was provided for the comparables. These properties have improvement assessments ranging from \$101,651 to \$113,196 or from \$29.87 to \$37.04 per square foot of living area. The subject has an improvement assessment of \$149,986 or \$38.76 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

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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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	27,677
IMPR.:	\$	149,986
TOTAL:	\$	177,663

Subject only to the State multiplier as applicable.

PTAB/MRT/9/18/07

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's total assessment of \$177,663 was disclosed. In support of the subject's improvement assessment, the board of review submitted property record cards and a grid analysis of four comparable properties located in the subject's subdivision. The comparables consist of two-story style brick and frame dwellings that range in age from 3 to 14 years and range in size from 2,272 to 3,202 square feet of living area. Features of the homes include central air-conditioning, one fireplace, garages that contain from 740 to 841 square feet of building area and full or partial unfinished basements. These properties have improvement assessments ranging from \$86,744 to \$127,552 or from \$36.49 to \$40.84 per square foot of living area. Based on this evidence the board of review requested the subject's total assessment be confirmed.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds that a reduction in the subject's assessment is not warranted. The appellant's argument was unequal treatment in the assessment process. 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 Board finds the appellant has not overcome this burden.

The Board finds the parties submitted seven comparables for its consideration. The Board gave less weight to the appellant's comparables because the appellant failed to indicate whether the comparables had basements, garages, or central air-conditioning, features that are commonly found in newer homes. This lack of information significantly diminished the comparability of the appellant's comparables when compared to the subject. The Board also finds one of the appellant's comparables was a one-story design which differed from the subject's two-story design. The Board gave less weight to two of the board of review's comparables because they were significantly smaller in living area when compared to the subject. The Board finds two of the board of review's comparables were similar to the subject in most respects and had improvement assessments of \$36.49 and \$39.84 per square foot of living area. The subject's improvement assessment of \$38.76 per square foot of living area is supported by these most representative comparables.

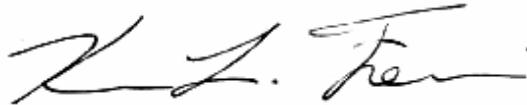
The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The

requirement is satisfied if the intent is evident to adjust the burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which appears to exist on the basis of the evidence.

In conclusion, the Board finds the appellant failed to establish unequal treatment in the assessment process by clear and convincing evidence and the subject property's assessment as established by the board of review is correct.

This is a final administrative decision of the Property Tax Appeal Board are 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.

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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: September 28, 2007



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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.