



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

APPELLANT: Steve Pieruccini  
DOCKET NO.: 06-23248.001-R-1  
PARCEL NO.: 14-19-110-022-0000

The parties of record before the Property Tax Appeal Board are Steve Pieruccini, the appellant(s); and the Cook County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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:** \$12,725  
**IMPR.:** \$99,107  
**TOTAL:** \$111,832

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 3,720 square foot parcel of land improved with a one-year old, two-story, masonry, single-family dwelling containing 3,486 square feet of living area, three and one-half baths, two fireplaces and a full, unfinished basement. The appellant argued both unequal treatment in the assessment process and that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

In support of equity argument, the appellant submitted descriptions and assessment information on a total of five properties suggested as comparable and located within five blocks of the subject. The properties are described as two-story, frame or masonry, single-family dwellings with two and one-half, three and one-half or five baths, air conditioning, one or two fireplaces, and a full, finished basement. The properties are one year old and range in size from 2,337 to 3,786 square feet of

living area and in improvement assessment from \$23.61 to \$30.48 per square foot of living area. The appellant also submitted colored photographs of the subject and the suggested comparables.

In support of the market value argument, the appellant argues that the value of the subject is less than the assessment reflects based on the purchase price of the land and the cost to construct the improvement. The appellant asserts he purchased the subject lot and an adjoining parcel in 2003 for \$725,000. He then asserts he sold built his home on one of the parcels and sold the other. His letter indicates he began construction in august 2004 and it took 18 months to complete.

His letter asserts the land for the subject increased in value approximately 20%. He lists construction costs at \$402,774 and includes a list showing all the costs for the construction. He also indicates he acted as the general contractor and projects a saving based on the value of labor/general contracting fees at \$100,000. In conclusion, the appellant requests the assessment reflect a value for the subject property at \$937,774.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's improvement assessment of \$111,900 or \$32.10 per square foot of living area and total assessment of \$124,625 were disclosed. This assessment reflects a market value of \$1,231,472 using the Department of Revenue's 2006 three year median of assessment of 10.12% for Cook County, Class 2 property. In support of the subject's assessment, the board of review presented descriptions and assessment information on a total of four properties suggested as comparable and located within the subject's neighborhood. The properties are described as two-story, masonry, single-family dwellings with four and one-half or four and two-half baths, air conditioning, one, two or three fireplaces, and a full basement with three finished. The properties range: in age from one to three years; in size from 2,878 to 3,582 square feet of living area; and in improvement assessment from \$23.61 to \$36.84 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter arguing that the assessment was too high and included a 2007 board of review decision for the subject property with a total assessment of \$111,832.

At hearing, the appellant, Steve Pieruccini, argued that the 2007 assessment was reduced by the board of review to a total assessment of \$111,832. He testified that the reduction was made to the improvement only, with the land staying the same as it was in 2006. He then argued that the suggested comparables he submitted are more similar to the subject than the suggested comparables submitted by the board of review. The appellant testified that he has been inside all of his suggested

comparables and opined that these properties are superior in construction quality to the subject. He testified that the finishes for the properties submitted by the board of review are far more superior to the subject's. He stated he submitted a copy of the subject's homeowner's policy declarations to show that the subject was not insured for a high amount.

In regards to the market value argument, the appellant testified he purchased one house on two parcels, demolished the improvement, sold one parcel, and built the subject property's improvement. He testified he completed the list in 2006 cataloging all the costs for construction. He testified the costs were developed by reviewing the bills for the construction. He indicated that the labor is included in the bills when an individual was hired to perform the labor. He testified he is a fireman and had access to many friends that helped in the construction. Mr. Pieruccini testified he acted as the general contractor and he did not perform any of the labor on the improvement.

The board of review's representative, Tom Mahoney, made a motion to withdrawal the board's comparable #3 because this comparable does not support the current assessment. This motion was denied. He then rested on the evidence. Mr. Mahoney asserted that the appellant's suggested comparables #3 and #4 are significantly smaller than the subject.

The appellant responded by arguing his suggested comparables are similar to the subject in size and are closer in construction materials than the board of review's comparables. Again, the appellant argued that the subject was reduced in the 2007 assessment year.

After reviewing the testimony 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 Board further finds a reduction in the subject's assessment is warranted.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the market value evidence indicates a reduction is not warranted.

In determining the subject's market value, the PTAB finds that the appellant failed to submit sufficient evidence to establish

the market value of the subject. The appellant testified that the land was purchased in 2003. However, this purchase was for two parcels. The appellant testified that the second parcel was sold, however no evidence was presented in regards to a purchase price for this parcel that could establish the value of the parcels individually. In addition, the appellant presented a list of costs for construction of the improvement. His documentation argues that he saved approximately \$100,000 in general contracting fees and labor costs. However, when he testified he stated he did not perform any of the labor, but as a fireman, had help in constructing the improvement because he knew people. The PTAB finds this conflicting and that there is insufficient evidence to establish the market cost of constructing the improvement.

As to the equity argument, 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). After an analysis of the assessment data, the Board finds the appellant has met this burden.

The parties submitted a total of nine properties suggested as comparable to the subject. The PTAB finds the appellant's comparables #2 and #5 and the board of review's comparables #1, #2, and #3 are the most similar to the subject in design, size, construction and age. These properties are masonry, two-story, single-family dwellings located in the subject's neighborhood. The properties have improvement assessments from \$23.61 to \$36.71 per square foot of living area. However, the appellant submitted evidence establishing that the board reduced the subject's improvement assessment in the subsequent year. "[A] substantial reduction in the subsequent year's assessment is indicative of the validity of the prior year's assessment". Hoyne Savings & Loan Assoc. v. Hare, 60 Ill.2d 84, 90, 322 N.E.2d 833, 836 (1974); 400 Condominium Assoc. v. Tully, 79 Ill.App.3d 686, 690, 398 N.E.2d 951, 954 (1<sup>st</sup> Dist. 1979). Therefore, the Board finds that based upon the county board of review's 2007 non-triennial assessment reduction, it is appropriate to reduce the appellant's 2006 improvement assessment to \$99,107. The PTAB also finds that this reduction has the subject within the range of comparables on a per square foot basis. Thereby, the Board finds that a reduction in the subject's assessment 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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*Shawn R. Lerbis*

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: April 23, 2010

*Allen Castrovillari*

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.