



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

APPELLANT: Michael Giannini  
DOCKET NO.: 07-23576.001-R-1  
PARCEL NO.: 02-28-113-017-0000

The parties of record before the Property Tax Appeal Board are Michael Giannini, the appellant, by attorney Anthony M. Farace of Amari & Locallo in Chicago; and the Cook County Board of Review.

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:** \$ 19,186  
**IMPR.:** \$ 80,173  
**TOTAL:** \$ 99,359

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of masonry construction containing 4,717 square feet of living area. The dwelling is 16 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a three-car attached garage.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on three comparable properties described as two-story frame, masonry, or frame and masonry dwellings that are either 13 or 16 years old. Two of the comparables have the same assigned classification code as the subject, and two are located in the same tax block as the subject. The comparable dwellings range in size from 3,250 to 4,772 square feet of living area. One dwelling has a full finished basement, and two have unfinished basements, either full or partial. Each comparable has central air conditioning, a fireplace, and a two or three-car attached garage. The comparables have improvement assessments ranging from \$15.36 to \$15.85 per square foot of living area. According to the appellant, the subject has an improvement assessment of \$17.00 per square foot of living area, but that is based on the appellant's claim that the subject's 2007 total assessment is \$99,359 (\$19,186 for land and \$80,173 for the improvement). However, this is not the 2007 assessment for the subject

property. As part of his appeal, the appellant provided the final assessment notice from the board of review which indicates that the 2007 total assessment for the subject property is actually \$97,895. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$97,895 (\$19,186 for land and \$78,709 for the improvement) was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story masonry dwellings that range in age from 11 to 15 years old. The comparables have the same assigned classification code as the subject. One comparable is located in the same tax block as the subject, and the other three are located one-quarter mile from the subject. The dwellings range in size from 3,953 to 4,628 square feet of living area. Two comparables have full finished basements, and two have full unfinished basements. Each comparable has central air conditioning, one or two fireplaces, and a three-car attached garage. These properties have improvement assessments ranging from \$17.48 to \$18.09 per square foot of living area. According to the board of review, the subject's improvement assessment is \$78,709 or \$16.69 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 Board further finds a reduction in the subject's assessment is not warranted.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. 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 not met this burden.

Both parties presented assessment data on a total of seven equity comparables. The appellant's comparables numbered two and three were much smaller than the subject, and they also differed in exterior construction. As a result, these comparables received reduced weight in the Board's analysis. The comparable numbered three by the board of review was also smaller than the subject and likewise received reduced weight. The Board finds the appellant's comparable numbered one and the comparables numbered one, two, and four by the board of review were very similar to the subject in size, style, exterior construction, and age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$15.36 to \$18.09 per square foot of living area. The subject's improvement assessment of \$16.69 per square foot of living area falls within the range

established by the most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's improvement assessment is equitable and a reduction in the subject's assessment is not 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 M. Louie*

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 22, 2011

*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.