



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

APPELLANT: Danuta Hamielec  
DOCKET NO.: 07-25886.001-R-1 through 07-25886.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Danuta Hamielec, the appellant, by attorney Edward Larkin, of Larkin & Larkin in Park Ridge; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
07-25886.001-R-1	12-01-104-045-0000	5,724	14,410	\$20,134
07-25886.002-R-1	12-01-104-046-0000	5,760	14,410	\$20,170

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a 53-year old, one-story, masonry, single-family dwelling. It contains 1,069 square feet of living area and is situated on a 3,975 square foot lot. Features include one full bath, two bedrooms, and a full, unfinished basement.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of the equity argument, the appellant submitted descriptive and assessment data for three suggested comparables, all located within the subject's neighborhood. The properties are improved with a two-story, masonry or frame and masonry, single-family dwelling. They range: in age from 40 to 80 years; in size from 1,543 to 1,614 square feet of living area; and in improvement assessment from \$20.05 to \$23.05 per square foot of living area. The subject's improvement assessment is \$26.96 per square foot of living area. Amenities for the suggested comparable properties include one or one and one half-baths, a full or partial, unfinished basement

for two properties, and a two-car garage. Based upon this analysis, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review-Notes on Appeal" wherein the subject's improvement assessment of \$28,820 was disclosed. In support of the subject's assessment, the board of review submitted descriptive and assessment data, as well as black and white photographs, relating to three suggested comparables located within the subject's neighborhood, one of which is located within a one-quarter mile radius of the subject. The properties are improved with a one-story, masonry, single-family dwelling. They range: in age from 52 to 55 years; in size from 1,069 to 1,175 square feet of living area; and in improvement assessment from \$26.95 to \$29.48 per square foot of living area. Amenities for the properties include one or one and one half-baths, two or three bedrooms, a crawl space or full, unfinished basement and a one or two-car garage. The board of review also noted that their comparable #2 sold in May of 2004 for \$359,000, or \$316.58 per square foot of living area, including land. Based on this evidence, the board requested confirmation of the subject's assessment.

In written rebuttal, the appellant stated that the board of review's suggested comparables are located miles away from the subject while the appellant's comparables are all located on the same Sidwell block as the subject.

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.

The parties submitted a total of seven comparable properties for the Board's consideration. The Board finds that comparables #1 through #3 submitted by the board of review are most similar to the subject in improvement size, age, and exterior construction. They are one-story, masonry, single-family dwellings containing between 1,069 and 1,175 square feet of living area, all of which are located in the subject's neighborhood. In analysis, the Board accorded the most weight to these comparables. These comparables ranged in improvement assessment from \$26.95 to \$29.48 per square foot of living area. The subject's improvement assessment at \$26.96 per square foot is within the range established by these 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 no reduction in the subject's assessment is warranted.

The constitutional provision for uniformity of taxation and valuation does not require a mathematical equality. A practical, 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 the constitution requires is a practical uniformity which appears to exist on the basis of the evidence. For the foregoing reasons, the Board finds that the appellant has not proven by clear and convincing evidence that the subject property is inequitably assessed. Therefore, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is correct 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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*J. R.*

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: August 28, 2012

*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.