



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

APPELLANT: Stephen Ferrone
DOCKET NO.: 08-00160.001-R-2
PARCEL NO.: 12-31-303-013

The parties of record before the Property Tax Appeal Board are Stephen Ferrone, the appellant, by attorney Mitchell L. Klein of Schiller Klein PC, in Chicago; and the Lake 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 Lake County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$197,989
IMPR.: \$842,056
TOTAL: \$1,040,045

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of stucco construction containing 5,700 square feet of living area. The dwelling is approximately 12 years old and features a partial finished basement, central air conditioning, four fireplaces and a 1,024 square foot attached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process. The subject's land assessment was not contested. In support of this argument, the appellant submitted information on three comparable properties. The comparables consist of two-story masonry dwellings that are 11 or 14 years old. One comparable has a different assigned neighborhood code than the subject property. The dwellings range in size from 5,268 to 6,248 square feet of living area. The comparables have partially finished basements, central air conditioning, three or five fireplaces and attached garages ranging in size from 978 and 1,122 square feet. The comparables have improvement assessments ranging from \$448,207 to \$750,315 or from \$71.74 to \$127.87 per square foot of living area. The subject property has an improvement assessment of \$842,056 or \$147.73 per square foot of living area. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$621,813 or \$109.09 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$1,040,045 was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on three comparable properties. They consist of two-story masonry or masonry and stucco dwellings that are between 5 and 11 years old. The comparables have the same assigned neighborhood code, and two comparables are located on the same street, as the subject property. The dwellings range in size from 5,443 to 6,263 square feet of living area. The comparables have full unfinished or finished basements, central air conditioning, three to five fireplaces and attached garages ranging in size from 836 and 938 square feet. The comparables have improvement assessments ranging from \$776,939 to \$827,771 or from \$132.17 to \$152.00 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.

The Board finds that both parties submitted a total of six comparables. The Board gave less weight to the appellant's comparable #1 because of its distance from the subject property and its dissimilar neighborhood code when compared to the subject property. The Board finds the remaining five comparables were most similar to the subject in location, design, age, size and features. These comparables have improvement assessments ranging from \$127.67 to 152.00 per square foot of living area. The subject's improvement assessment of \$147.73 per square foot of living area falls within the range established by these comparables. After considering adjustments to the comparables for differences 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 mathematical equality. 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 the 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.

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 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: July 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.