



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

APPELLANT: Gaetano Faciana
DOCKET NO.: 09-24666.001-R-1
PARCEL NO.: 03-18-302-005-0000

The parties of record before the Property Tax Appeal Board are Gaetano Faciana, 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: \$5,360
IMPR.: \$26,625
TOTAL: \$31,985

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 10,720 square foot parcel of land improved with a 45-year old, one-story dwelling of frame construction containing 1,471 square feet of living area. Features of the home include one and one-half baths, a full unfinished basement, and a one-car garage. The appellant argued unequal treatment in the assessment process per the land as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptions and assessment information on a total of three properties suggested as comparable and located within subject's market. The properties range in land size from 10,720 to 20,570 square feet of land and have a land assessment of \$.50 per square foot of land area. In addition, the appellant submitted a grid which included the property identification numbers, age, exterior construction, improvement and land square footage, and assessment information for a total of fifteen properties. The properties range in land size from 7,820 to 24,700 square feet of land and have land assessments of .50 per square foot. Based on this evidence, the appellant requested a reduction in the subject's land assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's land assessment of \$5,896 or \$0.55

per square foot of land was disclosed. In support of the subject's assessment, the board of review presented descriptions and assessment information on four properties suggested as comparable and located within the same neighborhood code as the subject. The properties are described as one-story, frame or frame and masonry, single-family dwellings with one and one-half baths, an unfinished basement for three of the properties, and a one to two car garage. The properties range: in age from 40 to 45 years; in size from 9,100 to 10,800 square feet of land area; and in land assessments of \$0.49 and \$0.50 per square foot of land area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter asserting that the appellant is being "overcharged on the assessed land value of \$0.55 per square foot." The appellant also resubmitted original letter stating the land is not assessed uniformly and grid of fifteen comparable properties. In addition, the appellant submitted evidence on ten additional comparables. The Official Rules of the Property Tax Appeal Board prohibit the submission of new evidence as rebuttal and, therefore, the ten additional comparables cannot be considered by the PTAB. 86 Ill.Admin.Code 1910.66

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 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 PTAB finds the appellant has not met this burden.

The parties presented a total of nineteen properties suggested as comparable to the subject. The PTAB finds that all of the board of review's and appellants' comparables similar to the subject in location and land. The properties are described as improved parcels of land that contain 7,820 to 24,700 square feet of land area and have land assessments of \$0.49 to \$0.50 per square foot of land area. In comparison, the subject's land assessment of \$0.55 per square foot of land area is above the range of these comparables. Therefore, after considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported and a reduction in the improvement 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.

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: May 18, 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.