



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

APPELLANT: Paul Maggio  
DOCKET NO.: 09-29944.001-R-1  
PARCEL NO.: 14-33-301-004-0000

The parties of record before the Property Tax Appeal Board are Paul Maggio, the appellant, by attorney Christopher G. Walsh, Jr. 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:** \$ 23,062  
**IMPR.:** \$ 105,971  
**TOTAL:** \$ 129,033

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story single-family dwelling of masonry construction containing 3,561 square feet of living area. The dwelling is 146 years old. Features of the home include a full unfinished basement, central air conditioning, three fireplaces, and a two-car detached garage. The subject is classified as a class 2-06 residential property under the Cook County Real Property Assessment Classification Ordinance and is located in Chicago, North Chicago Township, Cook County.

The appellant's appeal is based on unequal treatment in the assessment process. The appellant submitted information on four comparable properties described as two or three-story single-family dwellings of frame construction. The comparables have the same assigned neighborhood and classification codes as the subject. One of the comparables is located on the same block as the subject, and another is located one block from the subject. The comparable dwellings range in age from 118 to 131 years old, and they range in size from 3,263 to 3,691 square feet of living area. Two comparables have slab foundations; one has a crawl-space foundation; and one has a full unfinished basement. Each comparable has central air conditioning, and three have garages. The comparables have improvement assessments ranging from \$83,040 to \$107,243 or from \$24.89 to \$29.17 per square foot of living

area. The subject's improvement assessment is \$105,971 or \$29.76 per square foot of living area. According to the appellant's attorney, the subject property sold for \$1,400,000 in July 2007. In the brief, the appellant's attorney noted that the subject's assessment was less than 10% of the 2007 purchase price; however, the attorney argued that the purchase price did not reflect the subject property's current value. Based on this evidence, the appellant requested that the subject's improvement assessment be reduced to \$95,933 or \$26.94 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 \$129,033 was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of two-story single-family dwellings of masonry construction. One of the comparables is described as being of deluxe quality, while the subject and the other three comparables are described as being of average quality. The comparables have the same assigned neighborhood and classification codes as the subject. The dwellings range in age from 118 to 126 years old, and they contain from 3,131 to 3,780 square feet of living area. Each dwelling has a full basement, three of which are finished. Each comparable has central air conditioning and from one to three fireplaces, and three comparables have garages. These properties have improvement assessments ranging from \$115,784 to \$125,042 or from \$32.11 to \$36.98 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 eight equity comparables. The appellant's comparables differed from the subject in exterior construction, and three of the comparables also differed in foundation. As a result, the appellant's comparables received reduced weight in the Board's analysis. The board of review's comparable #1 was described as being of deluxe quality and also received reduced weight. The Board finds the board of review's comparables #2 through #4 were very similar to the subject in exterior construction. In addition, each had a full basement like the subject, and comparable #4 was the most similar in size. 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 \$115,784 to \$125,042 or from \$33.08 to \$36.98 per square foot of living area. The subject's improvement assessment of \$105,971 or \$29.76 per square foot of living area falls below 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.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. 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 appellant disclosed that 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. 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

*[Signature]*

Member

*[Signature]*

Member

*[Signature]*

Member

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 20, 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.