



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

APPELLANT: Joseph Marino  
DOCKET NO.: 13-04224.001-R-1  
PARCEL NO.: 02-10-109-007

The parties of record before the Property Tax Appeal Board are Joseph Marino, the appellant, by attorney Richard J. Caldarazzo of Mar Cal Law, P.C., in Chicago; and the DuPage County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **DuPage** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$38,810  
**IMPR.:** \$23,230  
**TOTAL:** \$62,040

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the DuPage County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2013 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a one-story dwelling of frame exterior construction that has 1,056 square feet of living area. The dwelling was constructed in 1959. Features include a full unfinished basement, central air conditioning and a two-car detached garage. The subject property is located in Bloomingdale Township, DuPage County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. In support of the inequity claim, the appellant submitted information for three assessment comparables located in close proximity to the subject. The comparables consist of one-story dwellings of frame or "mixed" exterior construction that were built from 1953 to 1959. One comparable has a partial basement that is 50% finished, one comparable has a partial unfinished basement and one comparable does not have a basement. One comparable has a fireplace and all the comparables have a 2 or 2.5-car detached garage.

The dwellings range in size from 1,073 to 1,708 square feet of living area and have improvement assessments ranging from \$20,480 to \$30,990 or from \$18.14 to \$19.47 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$62,040. The subject property has an improvement assessment of \$23,230 or \$22.00 per square foot of living area. In support of the subject's assessment, the board of review submitted an equity analysis of three assessment comparables located in close proximity to the subject. The comparables are improved with one-story dwellings of frame, brick or "mixed" exterior construction that were built from 1954 to 1972. Two comparables have full unfinished basements and one comparable has a full basement that is 50% finished. Two comparables have a fireplace and all the comparables have a 2 or 2.5-car attached or detached garage. The dwellings range in size from 1,080 to 1,296 square feet of living area and have improvement assessments ranging from \$26,700 to \$36,570 or from \$23.84 to \$28.26 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The record contains six assessment comparables for the Board's consideration. The Board gave less weight to comparables #1 and #2 submitted by the appellant. Comparable #1 is larger in dwelling size and has a partial finished basement, superior to the subject. Comparable #2 does not have a basement, dissimilar to the subject. The Board gave less weight to comparables #2 and #3 submitted by the board of review. Comparable #2 has a partial finished basement, superior to the subject. Comparable #3 is newer in age when compared to the subject. The Board finds the two remaining comparables are more similar when compared to the subject in location, design, age, dwelling size and features. These comparables have improvement assessments of \$21,030 and \$30,520 or \$19.47 and \$28.26 per square foot of living area. The subject property has an improvement assessment of \$23,230 or \$22.00 per square foot of living area, which is supported by the most similar assessment comparables contained in the record. Therefore, no reduction in the subject's 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.

Chairman

Member

Member

Member

Acting Member

DISSENTING: \_\_\_\_\_

CERTIFICATION

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: September 23, 2016

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.