



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

APPELLANT: Michele Pannarale
DOCKET NO.: 13-04228.001-R-1
PARCEL NO.: 02-09-102-006

The parties of record before the Property Tax Appeal Board are Michele Pannarale, 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: \$ 27,220
IMPR.: \$ 99,620
TOTAL: \$126,840

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 two-story dwelling of frame exterior construction that has 2,836 square feet of living area. The dwelling was constructed in 1927. The dwelling had a one-story and two-story room additions constructed in 2000, which added 873 square feet of living area. Features include a partial basement that is 50% finished, central air conditioning, a fireplace, a two-cat built-in garage 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 from 12 to 14 blocks from the subject. The comparables consist of two-story dwellings of frame or "mixed" exterior construction that were built from 1937 to 1976. Two comparables have unfinished basements and one comparable

does not have a basement. One comparable has a fireplace and two comparables have a two-car or a three-car detached garage. The dwellings range in size from 2,200 to 2,944 square feet of living area and have improvement assessments ranging from \$71,990 to \$89,920 or from \$27.16 to \$31.33 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 \$126,840. The subject property has an improvement assessment of \$99,620 or \$35.13 per square foot of living area. In support of the subject's assessment, the board of review submitted an equity analysis of four assessment comparables located in the subject's subdivision. The comparables are improved with two-story dwellings of frame or "mixed" exterior construction that were built from 1940 to 1978. Two comparables have full unfinished basements and two comparables have full or partial basements that are 50% and 90% finished. Three comparables have central air conditioning and two comparables have a fireplace. Three comparables have a two-car or three-car garage. The dwellings range in size from 2,016 to 2,542 square feet of living area and have improvement assessments ranging from \$78,560 to \$89,510 or from \$25.21 to \$38.97 per square foot of living area.

The board of review's evidence indicates appellant's comparable #2 and board of review comparable #3 had a one-story and two-story room additions. 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 seven assessment comparables for the Board's consideration. The Board gave less weight to comparables #1 and #3 submitted by the appellant and comparables #1, #2 and #4 submitted by the board of review due to their dissimilar age, dwelling size and/or features 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, features and had a one-story and two-story room additions like the subject. These comparables have improvement assessments of \$88,050 and \$89,920 or \$30.54 and \$35.91 per square foot of living area. The subject property has an improvement assessment of \$99,620 or \$35.13 per square foot of living area. After considering adjustments to the comparables for any difference when compared to the subject, such as dwelling size, age and features, the Board finds the subject's improvement assessment is supported. 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.