



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

APPELLANT: Ronald Dudek  
DOCKET NO.: 16-01135.001-R-1  
PARCEL NO.: 30-07-08-106-008-0000

The parties of record before the Property Tax Appeal Board are Ronald Dudek, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$10,238  
**IMPR.:** \$45,273  
**TOTAL:** \$55,511

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Will County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2016 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 masonry exterior construction with 1,688 square feet of living area. The dwelling was constructed in 1950. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 280 square foot garage. The property has a 10,018 square foot site and is located in Joliet, Joliet Township, Will County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of the improvement assessment inequity argument, the appellant submitted limited descriptive information on 16 equity comparables located within .50 of a mile of the subject property, four of which are in the same neighborhood as the subject as assigned by the township assessor.<sup>1</sup> The comparables consist of one-story dwellings ranging in size from 1,522 to 1,822 square feet of living area. The dwellings were built between 1949 and

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<sup>1</sup> Descriptive details for the appellant's comparables #1 through #8 were provided by the board of review.

1955. Eight of the comparables feature a frame or masonry exterior construction, full unfinished basement, a fireplace and a garage ranging in size from 352 to 572 square feet of building area. In addition, six comparables have central air conditioning. The comparables have improvement assessments ranging from \$29,542 to \$39,407 or from \$18.23 to \$21.90 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$55,511. The subject property has an improvement assessment of \$45,273 or \$26.82 per square foot of living area.

In response to the appeal, the board of review submitted a letter from the Joliet Township Assessor. The assessor contends that the appellant's comparables are located in four different neighborhoods.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables located in the same neighborhood as the subject property as assigned by the township assessor. The comparables were improved with one-story dwellings of frame or masonry exterior construction ranging in size from 1,400 to 1,440 square feet of living area. The dwellings were built from 1953 to 1955. The comparables each feature a full unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 308 to 576 square feet of building area. The comparables have improvement assessments of \$37,647 and \$40,314 or from \$26.14 to \$28.80 per square feet of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant's counsel submitted rebuttal comments with respect to the board of review evidence.

### **Conclusion of Law**

The appellant 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). 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted 19 suggested equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #2, #3, #4 and #7 that are located outside of the subject's neighborhood. The Board finds the appellant's remaining 12 comparables, along with the three comparables submitted by the board of review are relatively similar when compared to the subject in location, dwelling size, design and age. They have improvement assessments ranging from \$18.23 to \$28.80 per square foot of living area. The subject property has an improvement assessment of \$26.82 per square foot of living area, which falls within the range established by the most similar comparables in this record. After considering adjustments

to the comparables for differences when compared to the subject, the Board finds the evidence demonstrates the subject's improvement assessment is justified.

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 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 parties 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 presented.

Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and no reduction in the subject's assessment is justified.

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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

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Chairman



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Member



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Member

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Member



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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: October 15, 2019



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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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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