



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

APPELLANT: Lynne Bertacchi - Passett  
DOCKET NO.: 17-39083.001-R-1  
PARCEL NO.: 27-31-112-008-0000

The parties of record before the Property Tax Appeal Board are Lynne Bertacchi - Passett, the appellant, by attorney George N. Reveliotis of Reveliotis Law, P.C. in Park Ridge; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:** \$10,560  
**IMPR.:** \$25,590  
**TOTAL:** \$36,150

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2017 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 is improved with a two-story dwelling of frame and masonry construction with 3,219 square feet of living area. The dwelling is approximately 23 years old. Features of the home include a partial unfinished basement, central air conditioning, one fireplace and a three-car garage. The property has a 20,115 square foot site and is located in Orland Park, Orland Township, Cook County. The subject is classified as a class 2-78 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation and assessment inequity with respect to the improvement assessment as the bases of the appeal. In support of the overvaluation argument the appellant submitted information on four comparable sales classified as class 2-78 properties improved with dwellings of frame and masonry construction with either 2,580 or 3,219 square feet of living area. The homes range in age from 22 to 25 years old. Each property has a partial unfinished

basement, one fireplace, and two-car or three-car attached garage. Three comparables have central air conditioning. The comparables have sites ranging in size from 9,774 to 20,000 square feet of land area. Each property has the same assessment neighborhood code as the subject property. The sales occurred from April 2015 to August 2016 for prices ranging from \$290,000 to \$365,000 or from \$102.36 to \$115.12 per square foot of living area, including land. These properties have improvement assessments ranging from \$8.65 to \$11.40 per square foot of living area.

With respect to the assessment equity argument, the appellant submitted information on seven equity comparables improved with two-story class 2-78 dwellings of frame and masonry construction ranging in size from 3,017 to 3,337 square feet of living area. The dwellings range in age from 22 to 25 years old. Each property has a full unfinished basement, one fireplace, and a two-car or three-car attached garage. Five comparables have central air conditioning. Each property has the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$13,000 to \$26,286 or from \$4.31 to \$7.97 per square foot of living area.

The appellant requested the subject's total assessment be reduced to \$34,047 and the improvement assessment be reduced to \$23,487.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$38,323. The subject's assessment reflects a market value of \$383,230 or \$119.05 per square foot of living area, including land, when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 2-78 property of 10%. The subject has an improvement assessment of \$27,763 or \$8.62 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparables improved with two-story class 2-78 dwellings of frame and masonry construction ranging in size from 2,122 to 2,904 square feet of living area. The homes range in age from 19 to 25 years old. Each property has a partial or full unfinished basement, one fireplace, and a two-car or three-car garage. Three comparables have central air conditioning. These properties have sites ranging in size from 10,000 to 14,256 square feet of land area. The comparables have the same assessment neighborhood code as the subject property. The sales occurred from July 2016 to December 2017 for prices ranging from \$349,000 to \$363,000 or from \$123.97 to \$171.07 per square foot of living area, including land. These same properties have improvement assessments ranging from \$29,464 to \$32,343 or from \$11.14 to \$14.31 per square foot of living area.

### **Conclusion of Law**

The appellant contends in part the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted on this basis.

The parties submitted information on eight comparable sales to support their respective positions. The Board gives less weight to the board of review comparables #1, #2, and #3 due to differences from the subject in size, each being at least 28% smaller than the subject dwelling. The Board gives most weight to the appellant's comparable sales and board of review comparable #4 as they are similar to the subject in size and relative features. These comparables sold for prices ranging from \$290,000 to \$365,000 or from \$102.36 to \$123.97 per square foot of living area, including land. The comparables most similar to the subject in dwelling size are appellant's comparables #3 and #4, that sold for prices of \$365,000 and \$329,500 or \$113.39 and \$102.36 per square foot of living area, including land, respectively. These properties sold in 2015, each has a smaller site than the subject, and comparable #4 has no central air conditioning. The subject's assessment reflecting a market value of \$383,230 or \$119.05 per square foot of living area, inclusive of the land, is above the overall price range and above all but one of the best comparables on square foot basis. Based on this evidence the Board finds a reduction in the subject's assessment is justified to reflect a market value of \$361,500 or approximately \$112.30 per square foot of living area, including land. This results in a total assessment \$36,150 and an improvement assessment of \$25,590 or \$7.95 per square foot of living area.

Alternatively, 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, after considering the reduction to the subject's assessment based on market value, a further reduction in the subject's assessment based on assessment equity is not warranted.

The Board finds the appellants equity comparables #1, #2, #4, #5, and #6 are identical to the subject in dwelling size and have similar features. These properties have improvement assessments ranging from \$7.43 to \$7.97 per square foot of living area. The subject's revised improvement assessment is within this range.

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.



Chairman



Member



Member



Member



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:

April 20, 2021



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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