

# TUA NEWS RELEASE

## TAXPAYERS UNITED OF AMERICA

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## **WILMETTE SCHOOL BOARD 39 VIOLATED THE LAW!**

Taxpayers United of America (“TUA”) and Wilmette resident Herbert Sorock filed papers with the Circuit Court of Cook County June 7, 2011 claiming Wilmette School District 39 violated the U.S. Constitution, the Illinois Constitution, and the Illinois Property Tax Code by using ballot language in its April 5<sup>th</sup> property tax increase referendum that significantly failed to comply with Illinois statutory requirements.

There were 39 referenda from 48 different school districts on the ballot April 5, 2011; of the 14 that were property tax increase referenda, 10 were defeated on Election Day. TUA is challenging two of the referenda that passed, in Wilmette and in Oak Park.

“Both School Boards used the same law firm to create their ballots’ language,” said Christina Tobin, Vice President of TUA. “Chapman & Cutler, the firm that prepared these ballots, should be held responsible for their bad advice,” according to Tobin.

The Wilmette referendum claimed it would only raise taxes by \$58.80 for a home with a fair market value of \$100,000. But that number failed to include the State Equalization Factor, currently 3.3701; if properly calculated, the ballot’s stated tax impact would have been \$198.16.

According to the [brief](#) filed by TUA and Sorock, the Illinois Property Tax Code unequivocally requires that a property’s equalized assessed valuation be used for “all purposes of taxation.” Despite this clear obligation, the ballot used the far lower assessed valuation. In addition, the Wilmette referendum ballot violated the due process protection in both the U.S. and Illinois Constitutions.

Chapman & Cutler, attorneys for Wilmette and other school boards, assured them on March 22, 2011, that the ballot was correctly worded. “Chapman & Cutler deliberately prescribed ballot language for District 39 that was wrong. TUA agrees with Ali ElSaffar, The Oak Park Township Assessor, that any fault for this problem belongs to Chapman & Cutler,” said Christina Tobin, Vice President of TUA.

The next Wilmette Court hearing is set for June 23, 2011, before Judge Rita Novak, at 11:15 a.m. in Room 2402 of the Daley Center in Chicago.

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*Founded in 1976, TUA is one of the largest taxpayer organizations in America.*

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