

# TUA NEWS ADVISORY

## TAXPAYERS UNITED OF AMERICA

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## TAXPAYERS APPEAL WILMETTE AND OAK PARK REFERENDA RULINGS

CHICAGO--Local taxpayer groups filed appeals to contest two judicial decisions allowing property tax increase referenda wording to stand in the April 5, 2011 elections in Oak Park School Dist. 97 and Wilmette School District 39. In two separate court decisions, judges ruled that both school districts were within the law when their ballot descriptions of the anticipated property tax hikes in dollars per household did not include the property tax equalization factor. As a result, taxpayers were misinformed regarding the amount of their property tax increase, which was grossly understated on each ballot.

In the case of Wilmette School District 39, Judge Rita Novak of the Circuit Court of Cook County, ruled against both Taxpayers United of America (TUA) and Herb Sorock, dismissing their lawsuit. According to Judge Novak, it was acceptable for the School District to use ballot language that confused the voters by understating the property tax increase by 300%.

The Oak Park School Dist. 97 case was heard by Judge Mary Mikva, who held that the ballot wording for the property tax increase, similar to that on the Wilmette SD 39 ballot, was acceptable. TUA Vice President, Christina M. Tobin, worked with Oak Park activist Noel Kuriakos of the Citizens Alliance of Oak Park and other activists to oppose the proposed Dist. 97 property tax increase.

“The wording of the Illinois Property Tax Code, section 200-18-115, is crystal clear,” said Andy Spiegel, attorney representing taxpayers in both lawsuits. “The issue must be considered in the total context of 200-18-115,” said Spiegel. “Both judges failed to do so, and I am confident both rulings will be overturned on appeal.”

“The intent of the law is that the equalization factor must be used in all instances of property tax increase calculations.”

“On July 6 I filed a Notice of Appeal with the trial court of the Circuit Court,” said Spiegel. “This draws these two cases to the Circuit Court of Appeals of the 1st Circuit. I am asking that these two lawsuits be consolidated into one, and I believe we will prevail.”