



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

APPELLANT: David Schwimmer  
DOCKET NO.: 13-01707.001-R-1  
PARCEL NO.: 16-10-308-007

The parties of record before the Property Tax Appeal Board are David Schwimmer, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Lake County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$ 53,001  
**IMPR.:** \$ 202,003  
**TOTAL:** \$ 255,004

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Lake 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 1.75 story frame dwelling with some brick veneer and vinyl exterior that was built in 2002. The dwelling contains 3,179 square feet of living area. Features include a finished basement, central air conditioning, two fireplaces and an attached garage. The subject property is located in Moraine Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In addition,

the appellant argued assessment officials miscalculated the size of the subject dwelling.

In support of the dwelling size claim, the appellant submitted an appraisal of the subject property that had a detailed schematic drawing of the subject dwelling. The schematic depicts the subject dwelling contains 3,179 square feet of living area.

In support of the inequity claim, the appellant submitted six comparables located from .22 of a mile to 1.04 miles from the subject. The comparables had varying degrees of similarity when compared to the subject in design, age, and features. The dwellings ranged in size from 3,844 to 4,360 square feet of living area. The comparables had improvement assessments ranging from \$179,287 to \$229,761 or from \$41.88 to \$52.70 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" wherein the subject's final assessment of \$255,004 was disclosed. The subject property had an improvement assessment of \$202,003 or \$63.54 per square foot of living area.

In support of the subject's assessment, the board of review submitted the subject's property record card and seven assessment comparables located from .08 to .97 of a mile from the subject. The comparables had varying degrees of similarity when compared to the subject in design, age, and features. The dwellings ranged in size from 3,361 to 3,580 square feet of living area. The comparables had improvement assessments ranging from \$204,767 to \$230,033 or from \$59.97 to \$64.91 per square foot of living area.

With respect to the subject's dwelling size, the board of review submitted the subject's property record card that had a schematic drawing the dwelling. The schematic depicts a dwelling size of 3,347 square feet of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

#### **Conclusion of Law**

With regard to the subject's dwelling size, the Board finds the schematic drawing contained in the appraisal submitted the appellant is more detailed than that of the property record card submitted by the board of review. Based on this record, the Board finds the subject dwelling contains 3,179 square feet of living area.

The taxpayer next 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 13 assessment comparables for the Board's consideration. The Board gave less weight to comparables #2, #3, #5 and #6 submitted by the appellant due to their dissimilar larger dwelling size when compared to the subject. The Board finds the remaining nine comparables were more similar when compared to the subject in location, design, age, size and most features. They had improvement assessments ranging from \$194,270 to \$230,033 or from \$49.81 to \$64.91 per square foot of living area. The subject property has an improvement assessment of \$202,003 or \$63.54 per square foot of living area, which falls within the range established by the most similar assessment comparables contained in this record. Therefore, no reduction in the subject's improvement 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.

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Chairman



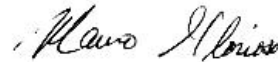
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DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

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: January 22, 2016



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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 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.