



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

APPELLANT: David Snower
DOCKET NO.: 14-00673.001-R-1
PARCEL NO.: 16-34-305-006

The parties of record before the Property Tax Appeal Board are David Snower, the appellant, by attorney David Lavin of Robert H. Rosenfeld and Associates, LLC, in Chicago; and the Lake 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 **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 95,338
IMPR.: \$205,350
TOTAL: \$300,688

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 2014 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 frame dwelling that has 4,745 square feet of living area. The dwelling was constructed in 1951, was remodeled in 2001 and has an effective age of 1973. Features include a full basement that is approximately 80% finished, central air conditioning, two fireplaces, a 504 square foot swimming pool and a 689 square foot 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. In support of the inequity claim, the appellant submitted information on three assessment comparables located in close proximity to the subject. The comparables consist of tri-level or one-story dwellings of frame or brick exterior construction that were built from 1951 or 1964 and have effective ages ranging from 1970 to 1977. Features had varying degrees of similarity when compared to the subject. The dwellings contain from

3,970 to 4,392 square feet of living area and have improvement assessments ranging from \$107,250 to \$159,419 or from \$27.02 to \$36.30 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$300,688. The subject property has an improvement assessment of \$205,350 or \$43.28 per square foot of living area. In support of the subject's assessment, the board of review submitted an equity analysis of three assessment comparables located in close proximity to the subject. The comparables are improved with one-story brick dwellings that were built from 1964 to 1980. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 4,225 to 4,392 square feet of living area and have improvement assessments ranging from \$159,419 to \$186,293 or from \$36.30 to \$44.09 per square foot of living area.

The board of review argued appellant's comparable #1 is a dissimilar tri-level style dwelling; comparable #2 has a smaller unfinished basement; and comparable #3 does not have a basement. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer 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). Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The record contains six assessment comparables for the Board's consideration. The Board gave less weight to the comparable #1 submitted by the appellant due to its dissimilar design when compared to the subject. The Board also gave less weight to comparable #3 submitted by the appellant and comparables #1 and #2 submitted by the board of review. These suggested comparables do not have basements, inferior to the subject's full, partially finished basement. The Board finds the remaining two comparables are more similar when compared to the subject in location, design, size, age and most features. These comparables have improvement assessments of \$126,091 and \$186,293 or \$29.26 and \$44.09 per square foot of living area. The subject property, which is superior to the comparables in dwelling size and features, has an improvement assessment of \$205,293 or \$43.28 per square foot of living area and is supported by the most similar assessment comparables contained in the record. After considering adjustments to these most similar comparables for differences when compared to the subject's, the Board finds the subject's assessment is justified. 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.



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: July 22, 2016



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.