



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

APPELLANT: Ted Thome
DOCKET NO.: 14-00840.001-R-1
PARCEL NO.: 13-36-306-008

The parties of record before the Property Tax Appeal Board are Ted Thome, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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: \$27,851
IMPR.: \$171,335
TOTAL: \$199,186

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 two-story dwelling of frame exterior construction with 3,489 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage that contains 592 square feet of building area. The property has a 10,174 square foot site and is located in Barrington, Cuba Township, Lake County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables located within .78 of a mile from the subject property. The comparables are improved with 2-story single family dwellings with varying degrees of similarity when compared to the subject. The dwellings range in size from 3,062 to 3,843 square feet of living area and

have improvement assessments ranging from \$118,306 to \$153,536 or from \$38.64 to \$39.95 per square foot of living area. The appellant requested the total assessment be reduced to \$164,201.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$199,186. The subject property has an improvement assessment of \$171,335 or \$49.11 per square foot of living area.

The board of review submitted a memorandum from Martin P. Paulson, Clerk of the Lake County Board of Review, along with additional data. Paulson asserted that the appellant's comparable #3 is located in a different township and has no basement.¹ Paulson stated that the appellant's comparables #1 and #2 are smaller in dwelling and basement size when compared to the subject. Therefore, Paulson on behalf of the board of review does not believe that the comparables submitted by the appellant support a reduction.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables located within 0.36 of a mile from the subject property. The comparables are improved with 1.75-story or 2-story single family dwellings and have varying degrees of similarity when compared to the subject. The dwellings range in size from 3,440 to 3,605 square feet of living area and have improvement assessments ranging from \$156,845 to \$183,467 or from \$44.69 to \$52.27 per square foot of living area.

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). 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 a reduction in the subject's assessment is not warranted.

The parties submitted seven equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparable #3. This comparable is located in a different township and lacks a basement when compared to the subject's full basement. The Board gave less weight to the board of review's comparable #1 due to its considerably older age and having been built on an even older foundation when compared to the subject as reported in the board of review grid analysis. The Board finds the best evidence of assessment equity to be appellant's comparables #1 and #2 along with the board of review comparables #2, #3 and #4. The comparables have varying degrees of similarity when compared to the subject in location, age, design, dwelling size, exterior construction and features. These comparables had improvement assessments that ranged from \$118,306 to \$183,467 or from \$38.64 to \$52.27 per square foot of living area. The subject's improvement assessment of \$171,335 or \$49.11 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the

¹ The board of review submitted property record cards and photographs for both parties' comparables.

subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

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.