



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

APPELLANT: John Wenstrom
DOCKET NO.: 15-02431.001-R-1
PARCEL NO.: 09-21-405-001

The parties of record before the Property Tax Appeal Board are John Wenstrom, the appellant, by attorney Margaret E. Graham, of McCracken, Walsh & de LaVan 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: \$24,568
IMPR.: \$54,337
TOTAL: \$78,905

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 2015 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 construction with 2,568 square feet of living area. The dwelling was constructed in 1969. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and two garages. The property has a 54,762 square foot site and is located in Wauconda, Wauconda Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables located from 0.55 to 0.64 of a mile from the subject property. The comparables have a different assigned neighborhood code than the subject. The comparables are improved with two-story dwellings of frame construction. The dwellings were constructed from 1954 to 1977. The comparables had varying degrees of similarity when compared to the subject. The appellant's grid analysis indicates the dwellings contain 2,184 or 2,256 square feet of living area and their improvement

assessments range from \$39,820 to \$42,850 or from \$17.65 to \$19.58 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$48,124 or \$18.74 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$78,905. The subject property has an improvement assessment of \$54,337 or \$21.16 per square foot of living area. In support of its contention of the subject's correct assessment, the board of review submitted information on four equity comparables located within 0.126 of a mile from the subject. The comparables are located in the same neighborhood as the subject and are improved with two-story dwellings of frame exterior construction. The dwellings were constructed from 1967 to 1979. The comparables had varying degrees of similarity when compared to the subject. The dwellings range in size from 2,374 to 2,876 square feet of living area and have improvement assessments ranging from \$50,703 to \$68,276 or from \$21.01 to \$24.38 per square foot of living area. 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). 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 presented assessment data on a total of seven suggested comparables. The Board finds that the appellant's comparables were not located in the same neighborhood as the subject. In addition, the appellant's comparables #1 and #2 did not have a fireplace and finished basement area like the subject. The appellant's comparable #3 was much older than the subject and did not have a garage. As a result, the appellant's comparables received reduced weight in the Board's analysis. The board of review comparables #1 and #3 also received reduced weight, because they were newer than the subject and did not have any finished basement area.

The Board finds the best evidence of assessment equity to be board of review comparables #2 and #4. These comparables were located in the same neighborhood as the subject and were similar to the subject in age and features. These comparables had improvement assessments of \$21.36 and \$24.38 per square foot of living area. The subject's improvement assessment of \$21.16 per square foot of living area falls below the improvement assessments of 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 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



Acting 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 21, 2017



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.