



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

APPELLANT: Clear Capital LLC
DOCKET NO.: 16-04235.001-R-1
PARCEL NO.: 12-04-102-018

The parties of record before the Property Tax Appeal Board are Clear Capital LLC, the appellant, by attorney Jeffrey G. Hertz, of Sarnoff & Baccash 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: \$2,323
IMPR.: \$9,615
TOTAL: \$11,938

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 2016 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 1.5-story dwelling of wood siding exterior construction with 2,064 square feet of living area. The dwelling was constructed in 1927 and features an unfinished basement. The property has a 4,687 square foot site and is located in Shields Township, Lake County.

The appellant contends improvement assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located within .74 of a mile of the subject. The comparables are improved with one, 1.75 story and three, 2-story dwellings of brick, wood siding or aluminum siding exterior construction ranging in size from 1,760 to 2,200 square feet of living area. The dwellings were constructed from 1910 to 1927. The comparables have unfinished basements; two comparables have central air conditioning and one comparable has a 528 square foot garage. The comparables have

improvement assessments ranging from \$3,317 to \$8,956 or from \$1.88 to \$4.07 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" disclosing the total assessment for the subject of \$11,938. The subject property has an improvement assessment of \$9,615 or \$4.66 per square foot of living area.

In response to the appellant's evidence, the board of review submitted a grid analysis of appellant's comparables #1, #2 and #3 and argued equity comparable #1 was a vacant, boarded up property that was in very poor condition and eventually was torn down in 2017. The board of review also submitted a Multiple Listing Service sheet for the subject that depicts the subject as being a "beautifully rehabbed 4-bedroom single-family home."

In support of its contention of the correct assessment, the board of review submitted four equity comparables located on same street and within .07 of a mile of the subject property. The comparables are described as one, 1.5-story, one, 2-story and two, 1.75-story dwellings of wood siding or brick and wood siding exterior construction ranging in size from 1,735 to 1,832 square feet of living area. The dwellings were constructed from 1912 to 1930 and have unfinished basements. Three comparables each have one fireplace and a garage ranging in size from 228 to 483 square feet of building area. The comparables have improvement assessments ranging from \$8,938 to \$10,811 or from \$5.15 to \$5.96 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 appellant 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 eight equity comparables for the Board's consideration that are similar to the subject in location, dwelling size, design, age and features. These comparables had improvement assessments ranging from \$3,317 to \$10,655 or from \$1.88 to \$5.96 per square foot of living area. The subject has an improvement assessment of \$9,615 or \$4.66 per square foot of living area, which falls within the range established by the most similar comparables in this record. After considering necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

Chairman



Member



Member



Member



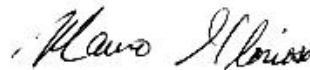
Member

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: January 21, 2020



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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COUNTY

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