



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

APPELLANT: Chang & Ja Choi
DOCKET NO.: 16-04926.001-R-1
PARCEL NO.: 14-24-301-004

The parties of record before the Property Tax Appeal Board are Chang and Ja Choi, the appellants, by attorney Jessica Hill-Magiera in Lake Zurich; 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: \$55,503
IMPR.: \$360,311
TOTAL: \$415,814

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 two-story dwelling of brick exterior construction with 7,610 square feet of living area. The dwelling was constructed in 2002. Features of the home include an unfinished basement with 4,205 square feet, central air conditioning, three fireplaces and an attached garage with 927 square feet of building area. The property has a 50,530 square foot site and is located in Long Grove, Ela Township, Lake County.

The appellants contend inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument the appellants submitted information on seven equity comparables improved with two-story dwellings that range in size from 6,070 to 9,037 square feet of living area. The dwellings were built from 1997 to 2005. Each comparable has a basement ranging in size from 1,811 to 5,812 square feet. These properties have improvement assessments ranging from \$252,979 to \$410,781 or from \$39.93 to \$45.47 per square foot of

living area. The appellants requested the subject's improvement assessment be reduced to \$303,888 or \$39.93 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$415,814. The subject property has an improvement assessment of \$360,311 or \$47.35 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on eight equity comparables improved with one, 1.5-story dwelling and seven, 2-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 5,351 to 9,307 square feet of living area. The dwellings were built from 1992 to 2008. Each home has a basement ranging in size from 2,606 to 4,492 square feet, central air conditioning, two to four fireplaces and a garage ranging in size from 919 to 1,328 square feet of building area. Comparable #2 also has a swimming pool. These properties have improvement assessments that range from \$272,641 to \$410,781 or from \$45.46 to \$53.58 per square foot of living area. Board of review comparables #3 and #7 are the same comparables as appellants' comparables #7 and #6, respectively. The board of review requested the assessment be sustained.

The appellants counsel submitted rebuttal comments with respect to the comparables provided by the board of review.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gives less weight to the appellants' analysis as the evidence they provided did not include information about features or amenities the dwellings have other than size and basement area, which would assist the Property Tax Appeal Board in conducting a meaningful analysis to determine their comparability or similarity to the property under appeal. Conversely, the board of review analysis included salient facts about the comparables including a copy of the property record card for each comparable.

In reviewing the comparables submitted by the parties, the Property Tax Appeal Board finds appellants' comparable #2 has a significantly smaller basement than the subject property and appellants' comparable #5 has significantly less living area than the subject property; therefore, these comparables are given less weight. Less weight is also given appellants' comparable #1 as the copy of the photograph of this property depicts a dwelling that is inferior to the subject in style/design and quality. Less weight is given board of review comparable #2 due to its differing style and age relative to the subject property. The Board gives less weight to board of review comparables #5, #6 and #8 due to their significantly smaller dwelling sizes relative to the subject dwelling. The seven remaining comparables, which includes two common properties, have

improvement assessments that range from \$43.39 to \$53.58 per square foot of living area. The subject's improvement assessment of \$47.35 per square foot of living area falls within the range established by the best comparables in this record.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence.

Based on this record the Board finds the appellants 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. 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: December 23, 2019



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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