



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

APPELLANT: Ann Wenger
DOCKET NO.: 17-02425.001-R-1
PARCEL NO.: 16-27-307-052

The parties of record before the Property Tax Appeal Board are Ann Wenger, the appellant, by attorney Robert Rosenfeld 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 **a reduction** 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: \$55,855
IMPR.: \$116,830
TOTAL: \$172,685

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 2017 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 is improved with a two-story dwelling of brick exterior construction with 2,190 square feet of living area. The dwelling was built in 1997. Features of the home include a basement that is partially finished, central air conditioning, one fireplace and an attached two-car garage with 462 square feet of building area. The property has a 3,108 square foot site and is located in Highland Park, Moraine 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 improved with two-story dwellings with brick exteriors that have either 2,190 or 2,922 square feet of living area. The dwellings were built from 1997 to 2001. Each home has a basement with finished area, central air conditioning, one fireplace, and an attached garage with 462 square feet of building area. The comparables are located within .03 miles of the subject

property. These properties have improvement assessments ranging from \$113,830 to \$139,369 or from \$46.63 to \$51.98 per square foot of living area. The appellant requested the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$177,914. The subject property has an improvement assessment of \$122,059 or \$55.73 per square foot of living area. In support of its contention of the correct assessment the board of review submitted information on four equity comparables improved with two-story dwellings with brick or stucco exteriors that range in size from 2,190 to 2,922 square feet of living area. The homes were built from 1997 to 2000. Each comparable has a basement with three having finished area, central air conditioning, one fireplace and an attached two-car garage with either 420 or 462 square feet of building area. These properties are located within .048 miles of the subject property. The comparables have improvement assessments ranging from \$113,830 to \$144,888 or from \$45.88 to \$51.98 per square foot of living area. Board of review comparable #1 is the same property as appellant's comparable #1. The board of review requested the assessment be sustained.

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 evidence in the record supports a reduction in the subject's improvement assessment.

The record contains seven comparables submitted by the parties to support their respective positions. The comparables are similar to the subject in location, style, age and features. Each of the comparables has an improvement assessment below the subject's assessment on a square foot basis, however, six of the comparables are significantly larger than the subject dwelling which accounts for their lower assessment per square foot based on economies of scale. The common comparable submitted by the parties is the same size as the subject dwelling with similar features with the exception of having a smaller basement with less finished basement area than the subject dwelling. This common comparable has an improvement assessment of \$113,830 or \$51.98 per square foot of living area whereas the subject property has an improvement assessment of \$122,059 or \$55.73 per square foot of living area. Based on these comparables, the Board finds the subject's improvement assessment should be reduced to an amount slightly above that of the most similar property due to the subject property's larger basement with more finished area. Based on this record the Board finds a reduction in the subject's 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: May 26, 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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