



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

APPELLANT: Arthur Baker
DOCKET NO.: 18-00478.001-R-1 through 18-00478.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Arthur Baker, 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
18-00478.001-R-1	10-18-400-017	76,232	140,997	\$217,229
18-00478.002-R-1	10-18-400-016	55,740	0	\$55,740
18-00478.003-R-1	10-18-400-009	87,138	6,144	\$93,282

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 2018 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 construction that has 3,544 square feet of living area. The dwelling was constructed in 1997. Features include an unfinished basement, central air conditioning, a fireplace, a tennis court, an 884 square foot attached garage and a 528 square foot detached garage. The subject property is located in Freemont Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In addition, the appellant did not challenge the assessment associated with the tennis court that is situated on parcel 10-18-400-009. In support of the inequity claim, the appellant submitted a grid analysis of three assessment comparables located in the same neighborhood code and from 1.52 to 2.49 miles from the subject property. The

comparables consist of two-story dwellings of brick or wood siding exterior construction that were built from 1988 to 2004. The comparables have unfinished basements, central air conditioning, one or two fireplaces, and garages that range in size from 741 to 1,017 square feet of building area. The dwellings range in size from 3,288 to 3,905 square feet of living area. The comparables have improvement assessments ranging from \$104,130 to \$147,207 or from \$31.67 to \$37.70 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 subject's total combined assessment of \$366,251. The subject property has an improvement assessment of \$140,997 or \$39.78 per square foot of living area. In support of the subject's assessment, the board of review submitted three assessment comparables located in the same neighborhood code and from 1.512 to 2.489 miles from the subject property. The comparables consist of two-story dwellings of brick or wood siding exterior construction that were built from 1995 to 2004. Two comparables have unfinished basements and one comparable has a finished basement. Other features include central air conditioning, one or two fireplaces, and each comparable has a garage that range in size from 741 to 1,320 square feet of building area. The dwellings range in size from 3,600 to 3,930 square feet of living area. The comparables have improvement assessments ranging from \$147,207 to \$176,262 or from \$37.70 to \$44.85 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 argued 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.

The record contains six assessment comparables for the Board's consideration. The Board gave less weight to comparable #1 submitted by the appellant due to its older age when compared to the subject. The Board gave less weight to comparable #2 submitted by the board of review due to its finished basement, superior when compared to the subject. The Board finds the remaining four comparables are more similar when compared to the subject in location, design, age, dwelling size and features. These comparables have improvement assessments ranging from \$115,642 to \$176,262 or from \$33.12 to \$44.85 per square foot of living area. The subject property has an improvement assessment of \$140,997 or \$39.78 per square foot of living area, which falls within the range established by the most similar assessment comparables contained in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported. Therefore, no reduction in the subject's improvement assessment is warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the burden

with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. 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 disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

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:

November 17, 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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