



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

APPELLANT: Brian Klerman  
DOCKET NO.: 18-01438.001-R-1  
PARCEL NO.: 16-29-108-014

The parties of record before the Property Tax Appeal Board are Brian Klerman, the appellant, by attorney Steven Kandelman, of Rieff Schramm Kanter & Guttman 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:** \$43,668  
**IMPR.:** \$153,229  
**TOTAL:** \$196,897

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 wood siding exterior construction with 2,373 square feet of living area. The dwelling was constructed in 1984. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 380 square foot attached garage. The property is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends assessment inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables located within 0.84 of a mile from the subject property. The comparable sites are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 2,119 to 3,634 square feet of living area. The homes were built from 1984 to 1989. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage with either 484 or 704 square feet of building area. The comparables have improvement

assessments that range from \$98,836 to \$182,059 or from \$41.42 to \$56.50 per square foot of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$159,162.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$196,897. The subject property has an improvement assessment of \$153,229 or \$64.57 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 located within approximately 0.63 of a mile from the subject property. The comparable sites are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 2,002 to 2,720 square feet of living area. The homes were built from 1954 to 1989. Three of the comparables have basements, two with finished area and one comparable has no basement. Each comparable has central air conditioning and a garage ranging in size from 400 to 588 square feet of building area. Three comparables each have one fireplace. The comparables have improvement assessments that range from \$131,259 to \$182,821 or from \$65.56 to \$67.21 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 submitted eight comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #2 and #3 which have significantly larger dwelling size when compared to the subject. The Board also gives little weight to the board of review's comparables #1, #3 and #4 due to presence of finished basement, no basement and/or older age when compared to the subject. The Board finds the best evidence of assessment equity to be appellant's comparables #1 and #4 along with board of review comparable #2 which are more like the subject in location, age, dwelling size, basement finish and most features. These comparables had improvement assessments that ranged from \$98,836 to \$143,962 or from \$46.64 to \$65.56 per square foot of living area. The subject's improvement assessment of \$153,229 or \$64.57 per square foot of living area falls above the overall value range and within the per square foot range as established by the best comparables in this record. After considering adjustments to comparables for differences with the subject, 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. 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: July 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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