



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

APPELLANT: Werner & Eva Politzki
DOCKET NO.: 18-01835.001-R-1
PARCEL NO.: 14-11-111-003

The parties of record before the Property Tax Appeal Board are Werner & Eva Politzki, the appellants, 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:

LAND: \$35,776
IMPR.: \$113,003
TOTAL: \$148,779

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 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 one-story dwelling of brick construction with 2,672 square feet of living area. The dwelling was constructed in 1979. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 625 square foot garage. The property has a 45,396 square foot site and is located in Hawthorn Woods, Ela Township, Lake County.

The appellants through counsel contend assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellants submitted information on three suggested equity comparables located in the same neighborhood and from .31 of a mile to 1.65 miles from the subject property. The comparables were improved with one-story dwellings of wood siding exterior construction that range in size from 2,496 to 2,734 square feet of living area. Comparable #1 has a 701 square foot second floor. The

dwellings were built from 1965 to 1969. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 609 to 1,560 square feet of building area. The comparables have improvement assessments that range from \$69,301 to \$91,879 or from \$26.56 to \$36.06 per square foot of living area. Based on this evidence, the appellants requested that the improvement assessment be reduced to \$80,498 or \$42.29 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 \$148,779. The subject property has an improvement assessment of \$113,003 or \$42.29 per square foot of living area. In support of its contention of the correct assessment the board of review submitted property record cards and a grid analysis on six suggested equity comparables located in the same neighborhood and from .35 of a mile to 1.235 miles from the subject property. The comparables were improved with one-story dwellings of brick or wood siding exterior construction ranging in size from 2,382 to 2,874 square feet of living area. The dwellings were built from 1977 to 1988. Each comparable has an unfinished basement, central air conditioning, one or three fireplaces and a garage ranging in size from 650 to 952 square feet of building area. The comparables have improvement assessments that range from \$96,157 to \$130,619 or from \$40.37 to \$45.45 per square foot of living area. Based on this evidence, the board of review requested that the assessment be confirmed.

Conclusion of Law

The taxpayers 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 parties submitted nine comparables for the Board's consideration. The board gave less weight to the appellants' comparable #1 based on its second floor living area and older age when compared to the subject's one-story design. The Board gave less weight to the appellants' comparable #2 along with the board of review comparables #3 and #4 as these comparables are located over one mile from the subject property.

The Board finds the best evidence of assessment equity to be appellants' comparables #2 and #3 along with the board of review comparables #1, #2, #5 and #6. These comparables have varying degrees of similarity when compared to the subject in design, dwelling size and features. These comparables had improvement assessments that ranged from \$91,879 to \$130,619 or from \$36.06 to \$45.45 per square foot of living area. The subject's improvement assessment of \$113,003 or \$42.29 per square foot of living area falls within the range established by the best comparables in this record. 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: January 19, 2021



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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