



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

APPELLANT: Tessa Penrith
DOCKET NO.: 18-02285.001-R-1
PARCEL NO.: 16-14-402-010

The parties of record before the Property Tax Appeal Board are Tessa Penrith, 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:

LAND: \$197,567
IMPR.: \$320,520
TOTAL: \$518,087

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 2.5-story brick single-family dwelling with 6,299 square feet of living area. The dwelling was constructed in 1920 and has an effective age of 1950. The home features a basement with finished area, central air-conditioning, two fireplaces and a 768-square foot garage. The dwelling is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on three equity comparables, all of which have the same neighborhood code as the subject. The comparables are located within .48 of a mile of the subject and consist of 2.5-story brick or wood-sided single-family dwellings that range in size from 4,775 to 5,667 square feet of living area. Comparable #1 was built in 1890. Comparables #2 and #3 were built in 1919 and 1910 and have effective ages of 1935 and 1938, respectively. Each of the dwellings has a basement with finished area, central air-conditioning,

three or four fireplaces, and a garage ranging in size from 651 to 920 square feet of building area. The comparables have improvement assessments ranging from \$185,434 to \$234,715 or from \$37.67 to \$41.42 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 total assessment for the subject of \$518,087. The subject property has an improvement assessment of \$320,520 or \$50.88 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, all of which have the same neighborhood code as the subject. The comparables are located within .396 of a mile from the subject and consist of 2-story or 2.5-story single-family brick or stucco dwellings built from 1920 to 1937 with effective ages ranging from 1936 to 1953. The dwellings range in size from 6,133 to 6,461 square feet of living area. Features of the homes include a basement with finished area, central air-conditioning, two or three fireplaces, and a garage containing 483 to 1,118 square feet of building area. The comparables have improvement assessments ranging from \$304,258 to \$383,636 or from \$48.93 to \$61.78 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 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 presented data on seven suggested comparables for the Board's consideration. The Board gave less weight to appellant's comparables #1 and #2 as comparable #1 is a much older dwelling and comparable #2 is a smaller dwelling with a smaller basement, in comparison to the subject. The Board also gave less weight to board of review comparable #4 which has a much larger garage than the subject property.

The Board finds that appellant's comparable #3 and board of review comparables #1 through #3 were the best comparables submitted for the Board's consideration and similar to the subject in age, location, size and most features. These comparables had improvement assessments ranging from \$234,715 to \$383,636 or from \$41.42 to \$61.78 per square foot of living area. The subject's improvement assessment of \$320,520 or \$50.88 per square foot of living area falls within the range established by the best comparables in the 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 appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and no reduction in the subject's assessment is warranted.

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 15, 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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