



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

APPELLANT: David Lubert
DOCKET NO.: 18-02415.001-R-1
PARCEL NO.: 13-36-116-011

The parties of record before the Property Tax Appeal Board are David Lubert, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$84,354
IMPR.: \$127,903
TOTAL: \$212,257

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 an improved site with 24,394 square feet of land area and is located in Barrington, Cuba Township, Lake County.

The appellant contends assessment inequity with respect to the land assessment as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables located on the subject's street and within 0.10 of a mile from the subject property. The comparables are improved sites that range in size from 21,780 to 23,522 square feet of land area and have land assessments that range from \$83,353 to \$84,022 or from \$3.57 to \$3.83 per square foot of land area.

The appellant's counsel submitted a map depicting the subject and comparables relative to Hough Street and claimed the subject's location adjacent to Hough Street warrants application of a 20%

negative influence factor. The appellant's counsel described the subject site as a "terrible lot which fronts the very busy and heavily traveled Hough Street." Based on this evidence, the appellant requested the subject's land assessment be reduced to \$67,482 or \$2.77 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$212,257. The subject property has a land assessment of \$84,354 or \$3.46 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on six equity comparables located on the same street as the subject and within 0.23 of a mile from the subject property. Board of review comparables #1, #2 and #3 are the same properties as the appellant's comparables #1, #2 and #3, respectively and board of review comparable #4 was submitted twice. The comparables are improved sites that range in size from 21,780 to 26,572 square feet of land area and have land assessments that range from \$83,353 to \$88,248 or from \$3.32 to \$3.83 per square foot of land area.

The board of review submitted written comments indicating the appellant did not provide evidence to support their claim that the subject's location warrants a negative value influence and noted the assessor had no documentation of reduced market value for homes located on Route 59/Hough Street. They further stated that the subject driveway is off Carriage Way and not Hough Street. 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 record contains six comparables for the Board's consideration as three comparables were common to both parties and one board of review comparable was submitted twice. The Board finds the best evidence of assessment equity to be both parties' the comparables submitted as they are similar in location and size to the subject site. These comparables have land assessments that range from \$83,353 to \$88,248 or from \$3.32 to \$3.83 per square foot of living area. The subject's land assessment of \$84,354 or \$3.46 per square foot of living area falls within the range established by the best comparables in this record. The Board further notes that the appellant did not submit evidence supporting a reduction in land value as asserted by the appellant's counsel. 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 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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