



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

APPELLANT: Woosuk Park
DOCKET NO.: 18-02756.001-R-1
PARCEL NO.: 11-28-308-002

The parties of record before the Property Tax Appeal Board are Woosuk Park, 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: \$69,866
IMPR.: \$181,628
TOTAL: \$251,494

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 is an owner-occupied dwelling that consists of a two-story home of brick exterior construction with 3,733 square feet of living area. The dwelling was constructed in 2004. Features of the home include a full basement, central air conditioning, two fireplaces and an 886 square foot garage. The property has a 17,064 square foot site and is located in Vernon Hills, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales. The comparables were located within .66 of a mile from the subject and the properties sold from March 2016 to July 2017 for prices ranging from \$680,000 to \$765,000. Based on the foregoing evidence, the appellant requested a reduction in the subject's assessment to \$219,384 which would reflect a market value

of approximately \$658,218 or a value lower than any of the appellant's suggested comparable sales in terms of overall value.

The appellant also supplied a copy of the Final Decision issued by the Lake County Board of Review depicting a total 2018 assessment of the subject property of \$251,494. The subject's total assessment reflects a market value of \$760,260, including land, when using the 2018 three-year median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue.

The Property Tax Appeal Board takes notice that the subject property was the subject matter of an appeal before the Board in the 2015 tax year under Docket Number 15-02951.001-R-1. In that appeal the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$246,353 based on the agreement of the parties. The Board further takes notice that in Lake County tax years 2015 through 2018 are within the same general assessment cycle. (See 86 Ill.Admin.Code §1910.90(i); 35 ILCS 200/9-215).

Furthermore, at the request of the Property Tax Appeal Board, the Lake County Chief County Assessment Office confirmed the township equalization factors of 1.0699, 1.0547 and 1.0326, respectively, were applied in Libertyville Township for tax years 2016, 2017 and 2018. (See 86 Ill.Admin.Code §1910.67(k)(3))

The board of review did not timely submit its "Board of Review Notes on Appeal" nor timely request an extension of time to do so as determined in a letter issued by the Property Tax Appeal Board and dated October 9, 2019. By letter dated October 17, 2019, the Lake County Board of Review was found to be in default.

Conclusion of Law

The subject property, an owner-occupied residence, was the subject matter of an appeal before the Property Tax Appeal Board for tax year 2015 under Docket Number 15-02951.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$246,353 based on the agreement of the parties.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, **subject to equalization**, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

(Emphasis added.) The Property Tax Appeal Board finds based on data provided by the Lake County Chief County Assessment Office that for tax years 2016, 2017 and 2018 township

equalization factors of 1.0699, 1.0547 and 1.0326, respectively, were issued in Libertyville Township.

The Board finds that Section 16-185 of the Property Tax Code is unambiguous in stating that if the Property Tax Appeal Board issues a decision lowering the assessment of an owner occupied dwelling that assessment is to remain the same during the remainder of the general assessment period, subject to equalization, with two exceptions not applicable here. The record is clear that applying the dictates of Section 16-185, commencing with the 2015 tax year decision of \$246,353 and applying the Libertyville Township equalization factors for 2016, 2017 and 2018 would result in the issuance of an increase in the subject's total assessment for 2018 as follows ($246,353 \times 1.0699 = 263,573 \times 1.0547 = 277,990 \times 1.0326 = 287,052$) or an increase in the total assessment for 2018 of \$35,558. Based on this record, the Property Tax Appeal Board declines to increase the subject's assessment.

In summary, the Board finds that the subject property was the subject matter of an appeal for the 2015 tax year in which the Property Tax Appeal Board issued a decision reducing the subject's assessment to \$246,353. The record further disclosed the subject property is an owner occupied dwelling and the 2015 through 2018 tax years are in the same general assessment period. Equalization factors of 1.0699, 1.0547 and 1.0326, respectively, were applied in Libertyville Township in 2016, 2017 and 2018, respectively. Furthermore, the decision of the Property Tax Appeal Board for the 2015 tax year was not reversed or modified upon review and there was no evidence the property sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in an assessment of \$287,052, which is greater than the 2018 assessment of the subject property of \$251,494. After considering the requirements of section 16-185 of the Property Tax Code, the Property Tax Appeal Board finds that neither a reduction nor an increase in the subject's assessment is warranted as the subject's current estimated market value based on its assessment falls within the range of the comparable sales presented by the appellant; thus, the 2018 assessment of the subject property is hereby sustained.

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:

February 16, 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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