



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

APPELLANT: Gabriel Viti
DOCKET NO.: 19-03664.001-R-1
PARCEL NO.: 16-21-207-017

The parties of record before the Property Tax Appeal Board are Gabriel Viti, 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 **A Reduction** 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: \$102,272
IMPR.: \$178,702
TOTAL: \$280,974

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 2019 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 conventional one-story dwelling of brick exterior construction with 3,592 square feet of living area. The dwelling was constructed in 1991. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 552 square foot garage. The property has an 8,000 square foot site and is located in Highland Park, West Deerfield Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables located in the same neighborhood code as the subject. The comparables are improved with conventional style dwellings of brick exterior construction ranging in size from 3,492 to 4,208 square feet of living area. The dwellings were built in 1991. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 506 to 913 square feet of

building area. The comparables have improvement assessments that range from \$170,382 to \$204,937 or from \$47.40 to \$48.87 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$172,918 or \$48.14 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 \$295,645. The subject property has an improvement assessment of \$193,373 or \$53.83 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted the subject property record card and a grid analysis of five suggested equity comparables located within the same assessment neighborhood and neighborhood description as the subject property. The comparables are improved with conventional one-story dwellings of brick exterior construction ranging in size from 3,409 to 4,138 square feet of living area. The dwellings were built from 1990 to 1993. Each comparable has a basement with four comparables having finished area, central air conditioning, one or two fireplaces and a garage that ranges in size from 483 to 850 square feet of building area. The comparables have improvement assessments ranging from \$172,950 to \$216,299 or from \$49.46 to \$57.50 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted nine suggested comparables for the Board's consideration. The Board gave less weight to the appellant's comparables #1 and #3 along with the board of review comparable #4 based on their larger dwelling size when compared to the subject. The Board gave less weight to the board of review comparables #1, #3 and #5 based on their basements finished area when compared to the subject's unfinished basement.

The Board finds the best evidence of assessment equity are the appellant's comparables #2 and #4 along with by the board of review comparable #2. These comparables have varying degrees of similarity when compared to the subject in location, dwelling size, age and features. These comparables have improvement assessments ranging from \$170,382 to \$179,3856 or from \$47.53 to \$49.79 per square foot of living area. The subject's improvement assessment of \$193,373 or \$53.83 per square foot of living area falls above the range established by the best comparables in the record. Based on this record, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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:

October 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Gabriel Viti, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085