



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

APPELLANT: Edward Witas
DOCKET NO.: 19-03716.001-R-1
PARCEL NO.: 13-13-207-008

The parties of record before the Property Tax Appeal Board are Edward Witas, 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: \$41,756
IMPR.: \$133,029
TOTAL: \$174,785

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 two-story dwelling of brick and wood siding exterior construction with 3,176 square feet of living area. The dwelling was constructed in 1986 and is approximately 33 years old. Features of the home include a basement with finished area, central air conditioning, two fireplaces and an attached garage with 752 square feet of building area. The property has approximately 40,053 square foot site and is located in North Barrington, Cuba Township, Lake County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four suggested equity comparables located from 0.05 to 0.72 of a mile from the subject and within the same assessment neighborhood code as the subject. The comparables are improved with two-story dwellings of wood siding exterior construction that range in size from 2,740 to 3,545 square feet of living area. The dwellings range in age from 32 to 39 years old. Each comparable has an unfinished basement, a fireplace and either an attached or detached garage ranging in size from 624 to 806 square feet of building area. Four comparables each have central air conditioning. The comparables have improvement assessments that range from \$102,039 to \$128,831 or from \$36.34 to \$37.51 per square

foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$117,978 or \$37.15 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 \$174,785. The subject property has an improvement assessment of \$133,029 or \$41.89 per square foot of living area.

The township assessor through the board of review stated rebuttal that the comparables used by the appellant are all homes with no finished basement when compared to the subject. In support of its contention of the correct assessment the board of review submitted the subject's property record card and a grid analysis of five suggested equity comparables located from 0.09 to 0.76 of a mile from the subject and within the same assessment neighborhood as the subject property. The comparables are improved with two-story dwellings of brick or brick and frame exterior construction that range in size from 3,079 to 3,597 square feet of living area. The dwellings range in age from 28 to 32 years old. Each comparable has a basement with four having finished area and one comparable has a walk-out basement. Each comparable has central air conditioning, either one or three fireplaces and an attached garage ranging in size from 720 to 1,437 square feet of building area. The comparables have improvement assessments ranging from \$131,329 to \$164,507 or from \$40.26 to \$45.73 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 submitted nine suggested comparables for the Board's consideration. The Board gave less weight to the appellant's comparables along with the board of review comparable #3 for their lack of a finished basement when compared to the subject.

The Board finds the best evidence of assessment equity are the board of review comparables #1, #2, #4 and #5 as these comparables are similar when compared to the subject in age, dwelling size, and some features. These comparables have improvement assessments ranging from \$131,329 to \$164,507 or from \$40.26 to \$45.73 per square foot of living area. The subject's improvement assessment of \$133,029 or \$41.89 per square foot of living area falls within the range established by the best comparables in the record. 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 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: June 21, 2022



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

Edward Witas, 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