



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

APPELLANT: Stuart Hemmings
DOCKET NO.: 19-03756.001-R-1
PARCEL NO.: 13-26-401-015

The parties of record before the Property Tax Appeal Board are Stuart Hemmings, 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: \$54,000
IMPR.: \$245,858
TOTAL: \$299,858

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 wood siding and brick exterior construction with 4,489 square feet of living area. The dwelling was constructed in 1990 and is approximately 29 years old. Features of the home include a full basement with a recreation room, central air conditioning, two fireplaces, four full baths, two half baths and an 840 square foot garage. The property also has a 630 square foot inground swimming pool.¹ The property has an 84,750 square foot site and is located in 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 three equity comparables located within the same assessment neighborhood code as the subject property. The

¹ The Board finds the best description of the subject property is found in the property record card provided by the board of review that disclosed the subject has an inground swimming pool, which was not reported the appellant.

comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 4,043 to 4,983 square feet of living area. The dwellings are 30 or 31 years old. The appellant reported that each comparable has a full unfinished basement, central air conditioning, one to three fireplaces, two or three full baths, one or two half baths and a garage that ranges in size from 833 to 972 square feet of building area. The comparables have improvement assessments that range from \$184,445 to \$254,746 or from \$43.79 to \$51.12 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$299,858. The subject property has an improvement assessment of \$245,858 or \$54.77 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted a grid analysis reiterating the appellant's three comparables which were previously described. The board of review reported that board of review comparable #1/appellant's comparable #1 has a wood siding and brick exterior construction. 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 evidence in the record does not support a reduction in the subject's assessment.

The record contains a total of three suggested equity comparables for the Board's consideration, as the appellant's comparables were also utilized by the board of review. The Board finds that on this limited record, these three comparables are relatively similar to the subject in location, dwelling size, design and age. However, the Board finds each comparable is inferior to the subject in that each comparable has fewer bathrooms than the subject and none of the comparables have a recreation room or an inground swimming pool, both features of the subject. Nevertheless, the comparables have improvement assessments that range from \$184,445 to \$254,746 or from \$43.79 to \$51.12 per square foot of living area. The subject's improvement assessment of \$245,858 or \$54.77 per square foot of living area falls within the overall improvement assessment range established by the only comparables in the record but above the range on a square foot basis, which appears to be justified give the subject's superior features. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, 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: December 21, 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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