



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

APPELLANT: Linda Samson
DOCKET NO.: 19-03800.001-R-1
PARCEL NO.: 16-21-115-030

The parties of record before the Property Tax Appeal Board are Linda Samson, 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: \$102,896
IMPR.: \$177,450
TOTAL: \$280,346

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 one-story dwelling of wood siding exterior construction with 3,549 square feet of living area. The dwelling was constructed in 1996 and is approximately 23 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an 851 square foot garage. The property has an 11,086 square foot site and is located in Highland Park, West Deerfield 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 equity comparables located within the same assessment neighborhood code as the subject property. The comparables are improved with one-story dwellings of brick or wood siding exterior construction ranging in size from 3,498 to 4,087 square feet of living area. The dwellings range in age from 26 to 28 years old. The appellant reported that each comparable has a partial basement, one of

which has finished area. Each comparable has central air conditioning, a fireplace and a garage that ranges in size from 529 to 624 square feet of building area. The comparables have improvement assessments that range from \$135,646 to \$202,328 or from \$38.78 to \$49.51 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$158,374 or \$44.62 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 \$299,086. The subject property has an improvement assessment of \$196,190 or \$55.28 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted a copy of the subject's property record card, along with information on five equity comparables, none of which are located within the same assessment neighborhood as the subject property.¹ The comparables are improved with one-story dwellings of brick, wood siding or brick and wood siding exterior construction ranging in size from 1,835 to 2,139 square feet of living area. The dwellings were built from 1949 to 1980. Board of review comparables #2 and #3 have reported effective ages of 1961 and 1955, respectively. The board of review reported that each comparable has a full basement, four of which have recreation rooms. Each comparable has central air conditioning, one to three fireplaces and a garage that ranges in size from 220 to 602 square feet of building area. The comparables have improvement assessments that range from \$67,107 to \$115,314 or from \$31.37 to \$61.60 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 record contains a total of nine suggested equity comparables for the Board's consideration. The Board gives less weight to the comparables submitted by the board of review due to differences from the subject in location, dwelling size and age.

The Board finds the best evidence of assessment equity to be the appellant's comparables, which are relatively similar to the subject in location, dwelling size, design, age and features. However, each comparable has a slightly older dwelling with a considerably smaller basement area and a smaller garage when compared to the subject. These comparables have improvement assessments ranging from \$135,646 to \$202,328 or from \$38.78 to \$49.51 per square foot of living area. The subject's improvement assessment of \$196,190 or \$55.28 per square foot of living area falls above the range established by the best comparables in the record. After

¹ The board of review submitted data on a different parcel other than the subject property under appeal in its grid analysis.

considering adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is excessive. Therefore, based on this record, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is warranted.

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

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

APPELLANT

Linda Samson, 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