



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

APPELLANT: Scott Rush  
DOCKET NO.: 19-03817.001-R-1  
PARCEL NO.: 16-32-302-005

The parties of record before the Property Tax Appeal Board are Scott Rush, 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:** \$55,363  
**IMPR.:** \$119,476  
**TOTAL:** \$174,839

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 exterior construction with 2,740 square feet of living area. The dwelling was constructed in 1959 and is approximately 60 years old. Features of the home include a concrete slab foundation, central air conditioning, two fireplaces and a 462 square foot garage. The property has an approximately 9,900 square foot site and is located in Deerfield, 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 three equity comparables located within the same assessment neighborhood code as the subject property. The comparables are improved with two-story dwellings of brick or wood siding exterior construction ranging in size from 1,838 to 2,515 square feet of living area. The dwellings range in age from 57 to 59 years old. The appellant reported that each comparable has a concrete slab

foundation and a garage with 264 or 441 square feet of building area. Two comparables have central air conditioning and either one or two fireplaces. The comparables have improvement assessments that range from \$74,911 to \$91,218 or from \$35.23 to \$40.76 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$104,850 or \$38.27 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 \$174,839. The subject property has an improvement assessment of \$119,476 or \$43.60 per square foot of living area. In support of its contention of the correct assessment, the board of review submitted information on five equity comparables located within the same assessment neighborhood code as the subject property. The comparables are improved with one -story or two-story dwellings of wood siding exterior construction ranging in size from 2,550 to 2,832 square feet of living area. The dwellings were built in 1958 or 1959 with comparables #2, #4 and #5 having reported effective ages of 1963, 1974 and 1972, respectively. The board of review reported that two comparables have either a concrete slab or a crawl space foundation and three comparables have a full or partial basement, one of which has a recreation room. Each comparable has central air conditioning and a garage that ranges in size from 460 to 552 square feet of building area. Three comparables have either one or two fireplaces. The comparables have improvement assessments that range from \$116,505 to \$136,504 or from \$45.69 to \$49.94 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 a total of eight suggested equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #2 and #3 due to their smaller dwelling sizes when compared to the subject dwelling. The Board gives reduced weight to board of review comparables #1, #2, #3 and #5 due to their dissimilar basement foundations or one-story designs, when compared to the subject. The Board finds the best evidence of assessment equity to be the appellant's comparable #1 and board of review comparable #4, which are relatively similar to the subject in location, dwelling size, design, original age and some features. The comparables have improvement assessments of \$88,596 and \$132,661 or \$35.23 and \$48.72 per square foot of living area. The subject's improvement assessment of \$119,476 or \$43.60 per square foot of living area is bracketed by the two best comparables in the record. 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.

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Chairman



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Member



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Member



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Member

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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: November 16, 2021



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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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