



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

APPELLANT: Mark Jagoda
DOCKET NO.: 19-03931.001-R-1
PARCEL NO.: 16-34-404-010

The parties of record before the Property Tax Appeal Board are Mark Jagoda, 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: \$41,561
IMPR.: \$59,166
TOTAL: \$100,727

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 1.5-story dwelling of brick exterior construction with 1,625 square feet of living area. The dwelling was constructed in 1952 and is approximately 67 years old. Features of the home include a basement with a recreation room, central air conditioning, and a fireplace. The property has a 7,588 square foot site and is located in Highland Park, Moraine 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. The comparables are improved with a 1.75-story and three, 1.5-story dwellings of brick or wood siding exterior construction that range in size from 1,368 to 2,066 square feet of living area and range in age from 70 to 73 years old. One comparable has a concrete slab foundation and three

comparable have basements, one of which has finished area. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 252 to 484 square feet of building area. The comparables have improvement assessments ranging from \$46,146 to \$74,156 or from \$33.73 to \$36.41 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$105,510. The subject has an improvement assessment of \$63,949 or \$39.35 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 that are located within the same assessment neighborhood code as the subject. Board of review comparables #1 and #4 were submitted by the appellant as comparables #4 and #3, respectively. The comparables are improved with 1.5-story dwellings of wood siding or brick exterior construction that range in size from 1,386 to 1,763 square feet of living area and were built from 1941 to 1949. The comparables have basements with two having recreation rooms. Four comparables have central air conditioning. Four comparables each have a fireplace. Each comparable has a garage ranging in size from 304 to 416 square feet of building area. The comparables have improvement assessments ranging from \$52,083 to \$64,517 or from \$34.22 to \$42.18 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 appellant 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 seven equity comparables for the Board's consideration which included the parties' two common comparables. The Board gave less weight to appellant's comparables #1 and #2 along with board of review comparable #2 due their differences in dwelling size when compared to the subject. In addition, appellant's comparable #1 lacks a basement, a feature of the subject. The Board also gave less weight to board of review comparable #5 which is an older dwelling that lacks central air conditioning when compared to the subject.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables which includes the two common comparables. These three comparables are more similar to the subject in location, age, dwelling size and most features. However, all the comparables have garages unlike the subject and two comparables lack recreation rooms in their basements, a feature of the subject. These comparables have improvement assessments ranging from \$36.23 to \$36.60 per square foot of living area. The subject has an improvement assessment of \$39.35 per square foot of living area, which falls above the range established by the best comparables in

this record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant proved by 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: 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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