



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

APPELLANT: John Kurzydlo  
DOCKET NO.: 19-03945.001-R-1  
PARCEL NO.: 16-28-317-010

The parties of record before the Property Tax Appeal Board are John Kurzydlo, 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:** \$41,200  
**IMPR.:** \$181,784  
**TOTAL:** \$222,984

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 1.75-story dwelling of brick construction with 3,238 square feet of living area. The dwelling was constructed in 1930 and is approximately 89 years old. Features of the property include an unfinished full basement, central air conditioning, one fireplace and a detached garage with 528 square feet of building area. The property has a 8,102 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 improved with a 1.5-story, a 1.75-story, and a 2-story dwelling of brick or wood siding exterior construction ranging in size from 3,437 to 4,115 square feet of living area. The dwellings range in age from 68 to 113 years old. Each comparable has a full or partial basement with two being partially finished, central air conditioning, one or two fireplaces, and an attached

garage ranging in size from 552 to 714 square feet of building area. The comparables have the same assessment neighborhood code as the subject property. These properties have improvement assessments ranging from \$155,401 to \$201,619 or from \$38.21 to \$51.15 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$149,271.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$222,984. The subject property has an improvement assessment of \$181,784 or \$56.14 per square foot of living area. The board of review reported the subject dwelling has an effective date of construction of 1973.

In support of its contention of the correct assessment the board of review submitted information on five equity comparables improved with a 1.75-story and four, 2-story dwellings of brick or brick and wood siding exterior construction ranging in size from 2,814 to 3,709 square feet of living area. The dwellings were built from 1929 to 1953 and effective dates of constructions from 1959 to 1990. One comparable has a crawl space foundation and four comparables have full or partial basements with one having finished area. Each comparable has central air conditioning, one or two fireplaces, and an attached garage ranging in size from 338 to 696 square feet of building area. The comparables have the same assessment neighborhood code as the subject property. These properties have improvement assessments ranging from \$144,723 to \$216,110 or from \$51.15 to \$64.41 per square foot of living area. Board of review comparable #4 is the same property as appellant's comparable #2.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted seven comparables to support their respective positions with one comparables being common to both parties. The Board gives less weight to appellant's comparables #1 and #3 due to differences from the subject dwelling size and/or age. The Board gives less weight to board of review comparable #2 due to the difference from the subject dwelling in foundation as the comparable has a crawl space foundation whereas the subject has a full unfinished basement. The Board finds the best comparables to be appellant's comparable #2 and the board of review comparables #1, #3 through #5, which includes the common comparable. These four comparables have dwellings that are relatively similar to the subject dwelling in size, foundation, and features. These comparables have improvement assessments that range from \$144,623 to \$216,110 or from \$51.15 to \$64.11 per square foot of living area. The subject has an improvement assessment of \$181,784 or \$56.14 per square foot of living area, which falls within the range established by the best comparables in this record.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence in this 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 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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