



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

APPELLANT: Russell & Carey Cernivec
DOCKET NO.: 19-03965.001-R-1
PARCEL NO.: 13-09-403-009

The parties of record before the Property Tax Appeal Board are Russell & Carey Cernivec, the appellants, 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: \$42,639
IMPR.: \$131,632
TOTAL: \$174,271

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 is described as a one-story dwelling of wood siding and brick exterior construction with 3,178 square feet of living area. The dwelling was constructed in 1989 and is approximately 30 years old. Features of the home include a full basement with a recreation room, central air conditioning, a fireplace and an 891 square foot garage. The property has a 50,330 square foot site and is located in Lake Barrington, Cuba Township, Lake County

The appellants contend assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument the appellants submitted information on four equity comparables located within the same assessment neighborhood code as the subject. The comparables are described as one-story dwellings of wood siding or brick exterior construction that range in size from 2,624 to 3,889 square feet of living area and range in age from 32 to 39 years old. Three comparables are reported to have partial or full basements and one comparable is reported to have a crawl space foundation. The comparables have central air conditioning, one

or two fireplaces and garages ranging in size from 795 to 990 square feet of building area. The comparables have improvement assessments ranging from \$99,434 to \$136,565 or from \$34.53 to \$37.99 per square foot of living area. Based on this evidence, the appellants 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 \$174,271. The subject has an improvement assessment of \$131,632 or \$41.42 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables located within the same assessment neighborhood code as the subject. The comparables are described as one-story dwellings of brick, wood siding and brick, or stone and wood siding exterior construction that range in size from 3,320 to 3,559 square feet of living area and were built from 1986 to 1990. The comparables are reported to have partial or full basements, with three having recreation rooms and two being walkout. Other features of the comparables include central air conditioning, one to three fireplaces and garages ranging in size from 850 to 1,184 square feet of building area. Comparables #1 and #2 have inground swimming pools. The comparables have improvement assessments ranging from \$139,326 to \$150,789 or from \$39.15 to \$45.15 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 appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight equity comparables for the Board's consideration. The Board gave less weight to the appellants' comparables #1, #2 and #3 due to their differences in dwelling size. The Board gave less weight to board of review comparables #1 and #2 due to their inground swimming pools, not a feature of the subject.

The Board finds the best evidence of assessment equity to be appellants' comparable #4 and board of review comparables #3 and #4. These comparables are relatively similar to the subject in location, age, style, dwelling size and most features. The parties' best comparables have improvement assessments ranging from \$111,856 to \$150,789 or from \$37.99 to \$44.61 per square foot of living area. The subject has an improvement assessment of \$131,632 or \$41.42 per square foot of living area, which falls within 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 appellants did not prove by 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: January 18, 2022



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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