



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

APPELLANT: Nick Vitulli
DOCKET NO.: 19-05973.001-R-1
PARCEL NO.: 16-15-318-002

The parties of record before the Property Tax Appeal Board are Nick Vitulli, 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: \$46,181
IMPR.: \$129,708
TOTAL: \$175,889

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 brick and wood siding exterior construction with 2,912 square feet of living area.¹ The dwelling was constructed in 1986. Features of the home include a basement with a recreation room, central air conditioning, a fireplace and a 529 square foot garage. The property has a 10,310 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 as the subject property. The

¹ The Board finds the best description of the subject dwelling is found in the property record card provided by the board of review disclosing the dwelling has a brick and wood siding exterior construction, as well as a 1,042 square foot recreation room in the basement, which was unrefuted by the appellant.

comparables are improved with two-story dwellings of brick or wood siding exterior construction ranging in size from 3,458 to 3,947 square feet of living area. The dwellings were built from 1980 to 1985. The appellant reported that each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage that ranges in size from 440 to 770 square feet of building area. The comparables have improvement assessments that range from \$136,583 to \$156,796 or from \$38.49 to \$39.82 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$114,405 or \$39.29 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 \$175,889. The subject property has an improvement assessment of \$129,708 or \$44.54 per square foot of living area.

In response to the appeal, the board of review asserted that the appellant's comparables were significantly larger than the subject. The board of review provided a grid analysis reiterating the appellant's comparables, which included additional descriptive details. The board of review reported that appellant's comparable #3 has a basement recreation room.

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 as the subject property. The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 2,852 to 3,063 square feet of living area. The dwellings were built from 1981 to 1989. The comparables each have a basement with a recreation room, central air conditioning, one or two fireplaces and a garage that ranges in size from 480 to 600 square feet of building area. The comparables have improvement assessments that range from \$127,332 to \$138,540 or from \$42.96 to \$48.58 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 record contains a total of nine suggested equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables due to their larger dwelling sizes and/or unfinished basements when compared to the subject dwelling. The Board finds the best evidence of assessment equity to be the comparables submitted by the board of review. These comparables are overall more similar to the subject in location, dwelling size, design, age and most features. The comparables have improvement assessments that range from \$127,332 to \$138,540 or from \$42.96 to \$48.58 per square foot of living area. The subject's improvement assessment of \$129,708 or \$44.54 per square foot of living area falls within the range established

by the best comparables in the record. Based on this record and 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.



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:

February 15, 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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