



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

APPELLANT: Mark Bina  
DOCKET NO.: 19-06009.001-R-1  
PARCEL NO.: 16-36-102-015

The parties of record before the Property Tax Appeal Board are Mark Bina, 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:** \$53,362  
**IMPR.:** \$80,599  
**TOTAL:** \$133,961

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 vinyl siding exterior construction with 1,772 square feet of living area. The dwelling was constructed in 1925 and has an effective age of 1950.<sup>1</sup> Features of the home include a basement with a recreation room, central air conditioning, a fireplace, and a 400 square foot garage. The property has an approximately 5,200 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity concerning the improvement assessment as the basis of the appeal; no dispute was raised concerning the land assessment. In support of this argument the appellant submitted information on four equity comparables improved with two-story homes of brick or stucco exterior construction ranging in size from 1,628 to 2,574 square feet of living

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<sup>1</sup> Additional features of the subject not reported by the appellant are found in the subject's property record card presented by the board of review, which the Board finds to be the best evidence of the subject's features.

area. The dwellings are from 81 to 93 years old. The homes each have a basement, two of which have finished area, central air conditioning, and a garage ranging in size from 228 to 399 square feet of building area. Three of the homes each have a fireplace. The comparables are located from 0.19 to 0.30 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$60,291 to \$91,072 or from \$34.50 to \$37.03 per square foot of living area. Based upon this evidence, the appellant requested the subject property's improvement assessment be reduced to \$63,703 or \$35.95 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 \$133,961. The subject property has an improvement assessment of \$80,599 or \$45.48 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on six equity comparables improved with two-story homes of brick, stucco, wood siding, vinyl siding, or brick and wood siding exterior construction. The homes range in size from 1,674 to 1,806 square feet of living area. The dwellings were built from 1920 to 1963 and five of the comparables have effective ages from 1951 to 1960. Five of the comparables each have a basement, four of which each have a recreation room. Comparable #3 has a slab foundation. The homes each have central air conditioning. Four of the homes each have a fireplace and five of the comparables each have a garage ranging in size from 240 to 400 square feet of building area. The comparables are located from 0.04 to 0.40 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$75,985 to \$86,914 or from \$44.89 to \$49.50 per square foot of living area.

The board of review also submitted a listing sheet, tax and assessment details, and a mortgage history for the appellant's comparable #4, together with notes stating that the assessment for such comparable was reduced following a sale of the property on December 17, 2019.

Based upon this evidence, the board of review requested confirmation of the subject property'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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of ten comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #1 and #2, which each have a much larger dwelling than the subject home. The Board gives less weight to the appellant's comparable #3 and the

board of review's comparable #6, due to their lack of a recreation room which the subject features. The Board gives less weight to the board of review's comparable #3, due to its slab foundation compared to the subject's basement foundation.

The Board finds the best evidence of assessment equity to be the appellant's comparable #4 and the board of review's comparables #1, #2, #4, and #5, which are similar to the subject in dwelling size, age, location and most features. These comparables have improvement assessments that range from \$60,291 to \$86,914 or from \$37.03 to \$49.50 per square foot of living area. The subject's improvement assessment of \$80,599 or \$45.48 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering appropriate adjustments to the best 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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