



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

APPELLANT: Nancy Burstyn
DOCKET NO.: 19-06024.001-R-1
PARCEL NO.: 16-27-306-025

The parties of record before the Property Tax Appeal Board are Nancy Burstyn, 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: \$58,306
IMPR.: \$101,303
TOTAL: \$159,609

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 tri-level dwelling of brick and wood siding exterior construction with 2,138 square feet of above ground living area. The dwelling was built in 1961 and is 58 years old with an effective year built of 1969. Features of the home include a finished lower level, central air conditioning, one fireplace and a 441 square foot garage. The property has a 16,000 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 neighborhood code as the subject. The comparables are improved with tri-level dwellings of wood siding or brick exterior construction ranging in size from 2,284 to 2,700 square feet of above ground living area. The dwellings range in age from 56 to 96 years old. Each comparable is reported to have a lower level or a full basement with two

having finished area and central air conditioning. Three comparables are reported to have attached garages ranging in size from 408 to 565 square feet of building area and a fireplace. The comparables have improvement assessments ranging from \$90,631 to \$114,472 or from \$33.74 to \$43.07 per square foot of above ground 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 \$159,609. The subject property has an improvement assessment of \$101,303 or \$47.38 per square foot of above ground living area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables located within the same neighborhood code as the subject. The comparables are described as tri-level dwellings of brick and wood siding exterior construction ranging in size from 1,842 to 2,273 square feet of above ground living area. The dwellings were built from 1960 to 1969 and have effective years built from 1964 to 1977. All comparables have lower levels with finished area. One comparable has a basement with a recreation room. Two comparables each have a fireplace. Each comparable has central air conditioning and a attached or a detached garage ranging in size from 312 to 484 square feet of building area. Comparable #2 has an additional 640 square foot detached garage. The comparables have improvement assessments ranging from \$82,322 to \$107,467 or from \$43.83 to \$53.36 per square foot of above ground 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted nine equity comparables for the Board's consideration. The Board gave less weight to the appellant's comparables due to differences in age and/or dwelling size when compared to the subject. The Board gave less weight to board of review comparables #1 and #2 as #1 has a basement with a recreation room and #2 has an additional 640 square foot garage, not features of the subject. The Board finds the best evidence of assessment equity to be the board of review comparables #3, #4 and #5 which overall are more similar to the subject in location, style, age, dwelling size and features. These comparables have improvement assessments ranging from \$82,322 to \$105,914 or from \$43.83 to \$48.92 per square foot of living area. The subject's improvement assessment of \$101,303 or \$47.38 per square foot of living area is within the range established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant 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: 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Nancy Burstyn, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085