



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

APPELLANT: Charnell Conti
DOCKET NO.: 19-06115.001-R-1
PARCEL NO.: 16-30-206-001

The parties of record before the Property Tax Appeal Board are Charnell Conti, 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: \$70,906
IMPR.: \$105,312
TOTAL: \$176,218

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 2-story dwelling with wood-siding exterior construction containing 2,624 square feet of living area. The dwelling was built in 1973 and is approximately 46 years old. The dwelling was built on a concrete slab foundation and features central air conditioning, two fireplaces and a detached garage with 665 square feet of building area. The property 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 located in the same neighborhood code as assigned by the township assessor to the subject property. The comparables are described as 2-story dwellings of brick or wood-siding exterior construction that range in size from 2,336 to 4,198 square feet of living area. The homes range in age from 31 to 61 years old. One comparable has a crawl space foundation, and two

comparables are built on concrete slab foundations. Two dwellings each have central air conditioning, and each comparable has one or two fireplaces and an attached garage ranging in size from 400 to 504 square feet of building area. The comparables have improvement assessments that range from \$89,473 to \$155,004 or from \$35.31 to \$38.30 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$96,650 or \$36.83 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 \$176,218. The subject property has an improvement assessment of \$105,312 or \$40.13 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables located in the same neighborhood code as assigned by the township assessor to the subject property. The comparables are described as 2-story dwellings of brick or wood-siding exterior construction that range in size from 2,541 to 2,646 square feet of living area. The homes were built from 1967 to 1976. Four dwellings have full or partial basements, two with finished area, and one dwelling was built on a concrete slab foundation. Each comparable has central air conditioning, one or two fireplaces, and an attached garage ranging in size from 504 to 800 square feet of building area. The comparables have improvement assessments that range from \$111,323 to \$128,562 or from \$42.65 to \$50.06 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 parties submitted a total of eight equity comparables for the Board's consideration. The Board gave less weight to appellant's comparables #1 and #2 based on their significantly larger dwelling sizes relative to the subject. The Board also gave less weight to board of review comparables #1, #2, #4, and #5 based on their full or partial basement foundations, dissimilar to the subject's concrete slab foundation.

The Board finds the best evidence of equity in assessment to be appellant's comparable #3 and board of review comparable #3 which are most similar to the subject in location, design, foundation, and some features. However, appellant's comparable #3 is smaller in dwelling size, older in age, and lacks central air conditioning feature relative to the subject, suggesting that upward adjustments need to be applied to this comparable in order to make it more equivalent to the subject. The two best comparables in this record have improvement assessments of \$89,473 and \$111,323 or \$38.30 and \$42.65 per square foot of living area. The subject's improvement

assessment of \$105,312 or \$40.13 per square foot of living area is bracketed and supported by the two best comparables in this record. The subject's improvement assessment is particularly supported by board of review comparable #3 which is the most similar comparable to the subject in this record and presented with an improvement assessment of \$111,323 or \$42.65 which is higher than the subject's improvement assessment of \$105,312 or \$40.13 per square foot of living area.

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 appears to exist on the basis of the evidence.

Therefore, after considering adjustments to the two best comparables in this record for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and, thus, 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: March 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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