



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

APPELLANT: David Dato  
DOCKET NO.: 19-06122.001-R-1  
PARCEL NO.: 13-21-204-016

The parties of record before the Property Tax Appeal Board are David Dato, 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:** \$43,305  
**IMPR.:** \$174,827  
**TOTAL:** \$218,132

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 4,116 square feet of living area. The dwelling was constructed in 2001 and is approximately 18 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 672 square foot garage. The property has an approximately 87,120 square foot site and is located in Lake Barrington, Cuba Township, Lake County.

The appellant contends assessment inequity, with respect to the improvement assessment, as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located in the same assessment neighborhood code as the subject and located from 0.16 of a mile to 2.88 miles from the subject property. The comparables are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 4,120 to 4,507 square feet of living area. The homes range in age from 18 to 29 years old. Each

comparable has a basement, two with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 651 to 846 square feet of building area. The comparables have improvement assessments that range from \$148,653 to \$184,108 or from \$36.08 to \$40.85 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$159,495 or \$38.75 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 \$218,132. The subject has an improvement assessment of \$174,827 or \$42.47 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 assessment neighborhood code as the subject and from 0.43 of a mile to 2.96 miles from the subject property. The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction that range in size from 4,114 to 4,196 square feet of living area. The homes were built from 1997 to 2002. Each comparable has a basement, four with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 790 to 960 square feet of building area. Comparable #2 has an inground swimming pool. The comparables have improvement assessments that range from \$172,262 to \$223,072 or from \$41.37 to \$54.22 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 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 parties submitted nine equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #2 thru #4 along with board of review comparables #1 thru #4 which are located less proximate to the subject, include an inground swimming pool, and/or have finished basement area in contrast to the subject.

The Board finds the best evidence of assessment equity to be appellant comparable #1 and board of review comparable #5 which are more similar to the subject in location, age, design, dwelling size and other features. These comparables have improvement assessments of \$172,262 and \$184,108 or \$40.85 and \$41.37 per square foot of living area. The subject's improvement assessment of \$174,827 or \$42.47 per square foot of living area is bracketed by the two best comparables in this record on an improvement assessment basis and slightly higher than the two best comparables on a per square foot basis. However, after considering appropriate adjustments to the best comparables 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 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:

November 22, 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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