



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

APPELLANT: Irwin Bernstein
DOCKET NO.: 19-06190.001-R-1
PARCEL NO.: 16-26-303-003

The parties of record before the Property Tax Appeal Board are Irwin Bernstein, 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: \$88,142
IMPR.: \$191,506
TOTAL: \$279,648

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 4,920 square feet of living area. The dwelling was constructed in 1979. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a 575 square foot garage. The property has a site with approximately 14,158 square feet of land area 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 3,013 feet of the subject property and within the same assessment neighborhood code as the subject. The comparables are improved with two-story dwellings of brick, stone or wood siding exterior construction ranging in size from 4,148 to 5,270 square feet of living area. The dwellings were built from 1950 to 1968. The appellant reported that each

comparable has a basement, one of which has finished area. Each comparable has central air conditioning, one or three fireplaces and a garage ranging in size from 484 to 976 square feet of building area. The comparables have improvement assessments that range from \$142,388 to \$179,047 or from \$32.58 to \$34.33 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$165,558 or \$33.65 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 \$279,648. The subject property has an improvement assessment of \$191,506 or \$38.92 per square foot of living area.

In response to the appeal, the board of review noted differences in exterior construction, dwelling age and basement size between the appellant's comparables and the subject.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables provided by the township assessor. The comparables are located within 2,065 feet of the subject property and within the same assessment neighborhood code as the subject. The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 4,818 to 5,004 square feet of living area. The dwellings were built from 1970 to 1981 with comparable #3 having a reported effective age of 1982. The comparables each have a basement, two of which have recreation rooms. Each comparable has central air conditioning, one to three fireplaces and a garage ranging in size from 484 to 1,044 square feet of building area. The comparables have improvement assessments that range from \$182,010 to \$194,820 or from \$37.78 to \$41.70 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 eight suggested equity comparables for the Board's consideration. The Board has given less weight to the appellant's comparables due to their older ages or smaller dwelling size. The board gives less weight to board of review comparables #2 and #3 as each has a basement recreation room and/or a larger garage when compared to the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #1 and #4 which are similar to the subject in location, dwelling size, design, age and most features. The comparables have improvement assessments of \$182,010 and \$194,820 or \$37.78 and \$38.93 per square foot of living area. The subject's improvement assessment of \$191,506 or \$38.92 per square foot of living area falls between the two best comparables in the record both in

terms of overall improvement assessment and on a square foot basis. 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:

April 19, 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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