



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

APPELLANT: Leonard Khayat
DOCKET NO.: 19-06197.001-R-1
PARCEL NO.: 03-27-300-018

The parties of record before the Property Tax Appeal Board are Leonard Khayat, 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:

F/Land:	\$634
Homesite:	\$23,583
Residence:	\$207,370
Outbuildings:	\$0
TOTAL:	\$231,587

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 an improved farmland parcel containing approximately a 1.83-acre farm homesite and approximately 3.45 acres of farmland.¹ The subject property is improved with a 2-story dwelling of brick and wood siding exterior construction with 6,303 square feet of living area. The dwelling was constructed in 1940 and is approximately 79 years old. The dwelling has an effective age of 1974 due to remodeling in 1974. Features of the home include an unfinished basement, central air conditioning, five fireplaces and a 1,564 square foot detached

¹ The Board finds the best evidence of the subject's description is located in the property record card submitted by the board of review that described the property as partially agricultural and had a schematic diagram with dimensions of the dwelling and described the subject as having a 960 square foot inground swimming pool and a 651 square foot bath house, which was unrefuted by the appellant.

garage. The subject property also has a 960 square foot inground swimming pool and a 651 square foot bath house. The property is located in Wadsworth, Newport 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 with the same assessment neighborhood code as the subject and located from 1.25 to 3.94 miles from the subject property. The comparables are improved with 2-story dwellings of brick or wood siding exterior construction ranging in size from 4,616 to 6,270 square feet of living area. The dwellings range in age from 25 to 55 years old. Each comparable has an unfinished basement, central air conditioning, one to four fireplaces and a garage ranging in size from 684 to 1,564 square feet of building area. The comparables have improvement assessments that range from \$134,956 to \$185,700 or from \$26.17 to \$29.62 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$180,155 or \$28.58 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 \$231,587. The subject property has a farm residence improvement assessment of \$207,370 or \$32.90 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables, two of which are improved farmland parcels with the same assessment neighborhood code as the subject. The three comparables are located from .30 of a mile to 2.35 miles from the subject property. The board of review's comparable #1 is a duplicate of the appellant's comparable #4. The comparables are improved with 1.75-story or 2-story dwellings of brick or wood siding exterior construction ranging in size from 5,859 to 7,551 square feet of living area. The dwellings were built from 1942 to 2003 with the oldest comparable having a reported effective age of 1995. The comparables each have an unfinished basement, central air conditioning, one to three fireplaces and an attached garage ranging in size from 748 to 1,472 square feet of building area. The comparables have improvement assessments that range from \$185,700 to \$258,005 or from \$29.62 to \$34.35 per square foot of living area. The board of review noted that the subject has a 960 square foot inground swimming pool and a 651 square foot pool house. 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 six suggested equity comparables for the Board's consideration, as one comparable was common to both parties. The Board has given less weight to the appellant's comparables #2 and #3 due to their substantially smaller dwelling sizes when compared to the subject. The Board has given reduced weight to board of review comparable #3 due to its considerably newer age when compared to the subject dwelling

The Board finds the best evidence of assessment equity to be the appellant's comparable #1, the parties' common comparable and board of review comparable #2. The Board finds the comparables have varying degrees of similarity when compared to the subject, in that the appellant's comparable #1 has a dwelling that is smaller in size and newer in age when compared to the subject dwelling; the parties' common comparable is most similar to the subject in dwelling size and effective age; and board of review comparable #2 has a dwelling that is larger size with a newer effective age when compared to the subject dwelling. Furthermore, the Board finds none of the comparables have an inground swimming pool and pool house, like the subject, suggesting upward adjustments would be required for these features to make the comparables more equivalent to the subject. Nevertheless, the comparables have an improvement assessments that range from \$136,916 to \$258,005 or from \$26.17 to \$34.17 per square foot of living area. The subject's farm residence improvement assessment of \$207,370 or \$32.90 per square foot of living area falls within the range established by the best comparables in the record. 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:

May 17, 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

Leonard Khayat, 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