



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

APPELLANT: Howard Fisher
DOCKET NO.: 19-07441.001-R-1
PARCEL NO.: 11-27-108-023

The parties of record before the Property Tax Appeal Board are Howard Fisher, 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: \$47,706
IMPR.: \$94,960
TOTAL: \$142,666

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 is improved with a one-story dwelling of brick and wood siding exterior construction containing 1,668 square feet of living area. The dwelling was built in 1979 and is approximately 40 years old. Features of the home include an unfinished full basement, central air conditioning, two fireplaces and an attached garage with 800 square feet of building area. The property has a site with approximately 10,520 square feet of land area and is located in Libertyville, Libertyville 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 improved with one-story dwellings of brick or frame and brick exterior construction ranging in size from 2,104 to 2,283 square feet of living area. The homes were built from 1977 to 1996. Each comparable has an unfinished basement, central air conditioning, one or two

fireplaces, and an attached garage ranging in size from 483 to 600 square feet of building area. The comparables have the same assessment neighborhood code as the subject property and are located from approximately .02 to .31 of one mile from the subject property. The improvement assessments on these properties range from \$96,633 to \$124,184 or from \$45.93 to \$54.75 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$81,365.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$142,666. The subject property has an improvement assessment of \$94,960 or \$56.93 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables improved with one-story dwellings of wood siding exterior construction ranging in size from 1,664 to 1,704 square feet of living area. The homes were built from 1976 to 1978. Each comparable has an unfinished basement and/or a lower level, central air conditioning, one or two fireplaces, and an attached garage with either 528 or 660 square feet of building area. The comparables have the same assessment neighborhood code as the subject property and are located from approximately .13 to .29 of one mile from the subject property. The improvement assessments on these properties range from \$89,503 to \$94,162 or from \$52.53 to \$56.59 per square foot of living area.

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 information on eight comparables with varying degrees of similarities to the subject in support their respective positions. The Board gives less weight to the appellant's comparables due to differences from the subject dwelling in size as each comparable has a dwelling larger than the subject dwelling. The Board gives most weight to the comparables provided by the board of review as each dwelling is more similar in size to the subject dwelling than are the comparables provided by the appellant. Each of the board of review comparables has a slightly smaller garage than the subject and three comparables have one fireplace whereas the subject has two fireplaces. These comparables have improvement assessments that range from \$89,503 to \$94,162 or from \$52.53 to \$56.59 per square foot of living area. The subject's improvement assessment of \$94,960 or \$56.93 per square foot of living area falls slightly above the range as established by the best comparables in this record but justified considering the property's larger garage and additional fireplace in relation to the comparables. Based on this record 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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COUNTY

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