



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

APPELLANT: Magdalena Merits
DOCKET NO.: 19-08766.001-R-1
PARCEL NO.: 12-28-306-004

The parties of record before the Property Tax Appeal Board are Magdalena Merits, 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 **A Reduction** 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: \$67,909
IMPR.: \$130,900
TOTAL: \$198,809

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 exterior construction with 2,380 square feet of living area. The dwelling was constructed in 1926 and is 93 years old.¹ The home features central air conditioning, one fireplace and a 522 square foot garage. The property has a 7,140 square foot site and is located in Lake Forest, Shields 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. The comparables are described as two-story dwellings of wood siding exterior construction ranging in size from 2,096

¹ The Board finds the subject's property record card submitted by the board of review indicates the subject has a reported effective year built of 1944 due to remodeling in 1997.

to 2,847 square feet of living area. The dwellings are 89 to 109 years old. Each comparable has a basement with two having finished area. Two comparables have central air conditioning. Three comparables each have one fireplace. Each comparable has a garage ranging in size from 360 to 493 square feet of building area. The comparables have improvement assessments ranging from \$103,287 to \$155,717 or from \$49.28 to \$55.45 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$216,625. The subject property has an improvement assessment of \$148,716 or \$62.49 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 same assessment neighborhood code as the subject. The comparables consist of two-story dwellings of brick, wood siding, stucco or stone and stucco exterior construction ranging in size from 2,427 to 2,656 square feet of living area. The dwellings were constructed from 1908 to 1927 with comparables #1, #2 and #3 having reported effective ages of either 1940 or 1945. The comparables have basements, four of which are finished with recreation rooms. Four comparables have central air conditioning. Each comparable has one to five fireplaces and a garage ranging in size from 440 to 672 square feet of building area. The comparables have improvement assessments ranging from \$129,924 to \$245,759 or from \$49.53 to \$92.53 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 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted nine equity comparables for the Board's consideration. The Board gives less weight to appellant's comparables #2 and #3 along with board of review comparables #1 through #4 which have finished basement area unlike the subject. The Board finds the best evidence of assessment equity to be appellant's comparables #1 and #4 along with board of review comparable #5 which have unfinished basements and are relatively similar to the subject in location, age, dwelling size and features. These comparables have improvement assessments that range from \$103,287 to \$140,840 or \$49.28 to \$55.45 per square foot of living area. The subject has an improvement assessment of \$148,716 or \$62.49 per square foot of living area, which falls above the range established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is 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: July 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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