



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

APPELLANT: Scott Burkhalter
DOCKET NO.: 20-00831.001-R-1
PARCEL NO.: 10-34-302-023

The parties of record before the Property Tax Appeal Board are Scott Burkhalter, 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: \$41,666
IMPR.: \$183,315
TOTAL: \$224,981

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 2020 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 stone exterior construction with 4,400 square feet of living area.¹ The dwelling was constructed in 2015 and is approximately 5 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace, and a 1,156 square foot garage. The property has a 41,003 square foot site and is located in Hawthorn Woods, Fremont 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. The comparables are located from 0.13 to 0.20 of a mile from the subject

¹ The Board recognizes that this property was the subject of an appeal in Docket No. 19-08699.001-R-1. As each appeal is decided on the evidence of record in terms of descriptive data, the Board has made a dwelling size finding here of 4,400 square feet of living area.

property and within the same assessment neighborhood code as the subject property. The comparables are improved with two-story homes of brick or stone exterior construction ranging in size from 4,467 to 4,628 square feet of living area. The dwellings range in age from 9 to 13 years old. Each home has a basement, one of which has finished area, central air conditioning, one or two fireplaces, and a garage ranging in size from 667 to 881 square feet of building area. The comparables have improvement assessments ranging from \$176,582 to \$184,750 or from \$38.51 to \$40.12 per square foot of living area. Based on this evidence the appellant requested a reduction in the subject's improvement assessment to \$172,590 or \$39.23 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 \$224,981. The subject property has an improvement assessment of \$183,315 or \$41.66 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. The comparables are located from 0.03 to 0.26 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The comparables are improved with two-story homes of brick, brick and stone, or stone and wood siding exterior construction ranging in size from 3,781 to 4,778 square feet of living area. The dwellings were built from 2008 to 2016. Each home has a basement, one of which has finished area, central air conditioning, one or two fireplaces, and a garage ranging in size from 881 to 1,030 square feet of building area. The comparables have improvement assessments ranging from \$162,425 to \$197,099 or from \$41.25 to \$43.04 per square foot of living area. Based on this evidence the board of review requested confirmation of the subject's improvement 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 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 equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparable #3 and the board of review's comparable #1, which each have finished basement area compared to the subject's unfinished basement.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #2, and #4 and the board of review's comparables #2, #3, and #4, which are similar to the subject in dwelling size, age, location, and most features. These comparables have improvement assessments that range from \$177,048 to \$186,109 or from \$38.51 to \$43.04 per square foot of living area. The subject's improvement assessment of \$183,315 or \$41.66 per square foot of living area falls within the range established by the best comparables in this record. Based on

this record and after considering appropriate adjustments to the best 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: June 21, 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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