



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

APPELLANT: Mark Booth
DOCKET NO.: 20-01129.001-R-1
PARCEL NO.: 16-08-401-006

The parties of record before the Property Tax Appeal Board are Mark Booth, 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: \$182,787
IMPR.: \$139,230
TOTAL: \$322,017

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 1.75-story dwelling of brick exterior construction with 4,641 square feet of living area. The dwelling was constructed in 1987 and is approximately 33 years old. Features of the home include a concrete slab foundation, central air conditioning, two fireplaces, and a 900 square foot attached garage. Other features of the subject include an inground swimming pool.¹ The property has an approximate 62,726 square feet site and is located in Lake Forest, West Deerfield 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 property and located

¹ The board of review indicated that the subject property has an inground swimming pool that was not disclosed by the appellant.

within .27 of a mile from the subject property. The comparables are improved with 1-story or 1.75-story dwellings of brick or wood siding exterior construction ranging in size from 3,930 to 8,097 square feet of living area. The dwellings range in age from 35 to 37 years old. One comparable has a concrete slab foundation and three comparables each have a basement, one of which has finished area. Each comparable has central air conditioning, one fireplace, and an attached garage ranging in size from 748 to 1,074 square feet of building area. The comparables have improvement assessments ranging from \$113,154 to \$225,506 or from \$27.32 to \$31.31 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$135,749 or \$29.25 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 \$335,105. The subject property has an improvement assessment of \$152,318 or \$32.82 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 with the same assessment neighborhood code as the subject and located within .44 of a mile from the subject. However, comparable #4 is the same property as the appellant's comparable #1. The comparables are improved with 1.75-story dwellings of brick or brick and wood siding exterior construction ranging in size from 4,142 to 5,215 square feet of living area. The dwellings were built in either 1983 or 1984 with comparable #1 having an effective built date of 1989. The comparables each have a basement, two of which have finished area. Each comparable has central air conditioning, one or two fireplaces, and an attached garage ranging in size from 748 to 972 square feet of building area. Comparable #3 has an inground swimming pool. The comparables have improvement assessments ranging from \$113,154 to \$182,091 or from \$27.32 to \$36.40 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of seven suggested equity comparables for the Board's consideration, including the parties' common comparable. The Board finds none of the comparables are truly similar to the subject due to differences from the subject in design, dwelling size, foundation type, and other features. However, the Board gives less weight to the appellant's comparable #2 due to its considerably larger dwelling size when compared to the subject and the appellant's comparable #4 due to its dissimilar one-story design, unlike the subject's 1.75-story design. Four comparables also lack an inground swimming pool which is a feature of the subject. Nevertheless, these comparables have improvement assessments of \$113,154 to \$182,091 or from \$27.32 to \$36.40 per square foot of living area. The subject's improvement assessment of \$152,318 or \$32.82 per square foot of living area falls within the range established by the

comparables in the record. Based on the evidence in this record, and after considering necessary adjustments to the best comparables for differences from the subject, the Board finds that the appellant demonstrated by clear and convincing evidence that the subject dwelling is inequitably assessed and a reduction in the subject's improvement assessment is warranted.

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: September 20, 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

Mark Booth, 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