



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

APPELLANT: Eric Niebergall  
DOCKET NO.: 20-01398.001-R-1  
PARCEL NO.: 16-28-211-009

The parties of record before the Property Tax Appeal Board are Eric Niebergall, 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:** \$62,361  
**IMPR.:** \$103,278  
**TOTAL:** \$165,639

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 is improved with a one-story dwelling of brick exterior construction containing 2,254 square feet of living area. The dwelling was built in 1954 and is approximately 66 years old.<sup>1</sup> Features of the home include an unfinished full basement, central air conditioning, one fireplace and an attached garage with 468 square feet of building area. The property has a 12,750 square foot site and is located in Highland Park, 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 improved with one-story dwellings of brick or wood siding exterior construction ranging in size from 1,727 to 2,674 square feet of living area. The homes range in age from 54 to 65 years old. Three comparables have a partial or full unfinished basement, one comparable

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<sup>1</sup> The board of review reported the subject had an effective year built of 1973.

has a slab foundation, each comparable has central air conditioning, three comparables have one or two fireplaces, and two comparables have either an attached or detached garage with 525 or 550 square feet of building area, respectively. The comparables are located from approximately .11 to .35 of one mile from the subject property. The comparables have improvement assessments ranging from \$72,101 to \$114,770 or from \$41.36 to \$43.46 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$95,513.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$180,355. The subject property has an improvement assessment of \$117,994 or \$52.35 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 improved with one-story dwellings of brick or brick and wood siding exterior construction ranging in size from 2,083 to 2,284 square feet of living area. The homes were built from 1950 to 1957. Each comparable has a partial basement with three having finished area, central air conditioning, and an attached garage ranging in size from 275 to 756 square feet of building area. Four comparables have one or two fireplaces. The comparables are located from approximately .06 to .33 of one mile from the subject property. The comparables have improvement assessments ranging from \$87,799 to \$105,555 or from \$39.76 to \$47.94 per square foot of living area. The board of review provided a statement that its comparables had a median assessment of \$45.82 per square foot of living area and recommended a course of action to settle with a proposed assessed value of \$165,639.

### **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 evidence in the record supports a reduction in the subject's assessment.

The Board gives less weight to the appellant's comparables as they are not as similar to the subject in dwelling size and features as are the comparables provided by the board of review. The Board finds the best evidence of assessment equity to the comparables provided by the board of review. These comparables have improvement assessments that range from \$87,799 to \$105,555 or from \$39.76 to \$47.94 per square foot of living area. The subject's improvement assessment of \$117,994 or \$52.35 per square foot of living area falls above the range established by the best comparables in this record. Based on this record the Board finds a reduction in the subject's assessment commensurate with the board of review proposal 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: 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

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COUNTY

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