



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

APPELLANT: Scott Lutz  
DOCKET NO.: 20-01443.001-R-1  
PARCEL NO.: 16-31-205-018

The parties of record before the Property Tax Appeal Board are Scott Lutz, 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:** \$56,867  
**IMPR.:** \$119,816  
**TOTAL:** \$176,683

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 exterior construction with 2,646 square feet of living area. The dwelling was constructed in 1967 and is approximately 53 years old. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 672 square foot garage. The property has an 11,582 square foot site<sup>1</sup> and is located in Deerfield, 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. The comparables are improved with two-story dwellings of brick or wood siding exterior construction ranging in size from 2,384 to 3,215 square feet of living area. The dwellings range in age from 47 to 54 years

---

<sup>1</sup> The Board finds the only evidence of the subject's site size was provided by the appellant.

old. Each comparable has a full unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 420 to 598 square feet of building area. The comparables have improvement assessments ranging from \$97,505 to \$127,621 or \$38.05 and \$40.90 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$105,244 or \$39.77 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 \$176,683. The subject property has an improvement assessment of \$119,816 or \$45.28 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 with the same assessment neighborhood code as the subject. Board of review comparables #3 and #5 are the same properties as the appellant's comparables #1 and #4, respectively. The comparables are improved with two-story dwellings of brick and wood siding exterior construction ranging in size from 2,384 to 2,809 square feet of living area. The dwellings were built from 1966 to 1970. Each comparable has a full or a partial unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 420 to 506 square feet of building area. The comparables have improvement assessments ranging from \$97,505 to \$119,614 or from \$38.05 to \$47.15 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of seven suggested equity comparables for the Board's consideration, as two comparables were common to both parties. The Board has given less weight to the appellant's comparables #1, #2 and #4, which includes the two common comparables, due to their less similar dwelling sizes when compared to the subject dwelling.

The Board finds the best evidence of assessment equity to be the appellant's comparable #3, along with board of review comparables #1, #2 and #4, which are overall more similar to the subject in dwelling size, design, age and features. However, the Board finds each of the comparables have a somewhat smaller dwelling size and a smaller garage size when compared to the subject. These four comparables have improvement assessments that range from \$104,148 to \$119,614 or from \$40.43 to \$47.15 per square foot of living area. The subject's improvement assessment of \$119,816 or \$45.28 per square foot of living area falls slightly above the overall improvement assessment range established by the best comparables in the record but within the range on a square foot basis. The subject's higher overall improvement assessment appears to be logical given its superior dwelling size and garage size. Based on this record and after considering 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:

October 18, 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

Scott Lutz, 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