



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

APPELLANT: Ann Wenger
DOCKET NO.: 20-01924.001-R-1
PARCEL NO.: 16-27-307-052

The parties of record before the Property Tax Appeal Board are Ann Wenger, 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: \$51,551
IMPR.: \$113,880
TOTAL: \$165,431

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 wood siding exterior construction with 2,190 square feet of living area. The dwelling was constructed in 1997 and is approximately 23 years old. Features of the home include a basement that is finished with a 1,174 square foot recreation room, central air conditioning, a fireplace and a 462 square foot garage. The property has an approximately 3,110 square foot site and is located in Highland Park, Moraine 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. The comparables are improved with two-story dwellings of Dryvit or brick exterior construction with either 2,763 or 2,820 square feet of living area. The dwellings range in age from 19 to 23 years

old. The comparables each have a basement, three of which have 826 square feet of finished area. Each comparable has central air conditioning, a fireplace and a garage with either 420 or 462 square feet of building area. The comparables have improvement assessments that range from \$126,193 to \$135,236 or from \$45.67 to \$47.96 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$102,546 or \$46.82 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 \$165,431. The subject property has an improvement assessment of \$113,880 or \$52.00 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 property. Board of review comparables #1, #2 and #5 are the same properties as the appellant's comparables #1, #2 and #3, respectively. The comparables are improved with two-story dwellings of Dryvit or brick exterior construction ranging in size from 2,190 to 2,820 square feet of living area. The dwellings were built from 1997 to 2001. The comparables each have a basement, four of which are finished with a recreation room ranging in size from 622 to 1,286 square feet of finished area. Each comparable has central air conditioning, a fireplace and a garage with either 420 or 462 square feet of building area. The comparables have improvement assessments that range from \$114,503 to \$142,316 or from \$45.67 to \$52.28 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 six suggested equity comparables for the Board's consideration, as three comparables were common to both parties. The Board has given less weight to the appellant's comparable #1/board of review comparable #1 as it has an unfinished basement in contrast to the subject's basement that is finished with a 1,174 square foot recreation room.

The Board finds the parties' remaining comparables, which includes two common comparables are similar to the subject in location, design, age and features. The Board finds four of the five comparables are significantly larger than the subject dwelling and have improvement assessments ranging from \$46.81 to \$50.47 per square foot of living area, which are below the subject's assessment on a square foot basis. However, the Board finds subject's higher assessment per square foot of living area appears to be logical when considering the economies of scale. The Board finds the most similar comparable in the record to be board of review comparable #3 as it is identical to the subject in dwelling size but has a smaller recreation room. This most similar comparable has an improvement assessment of \$114,503 or \$52.28 per square

foot of living area. The subject's improvement assessment of \$113,880 or \$52.00 per square foot of living area is below the best comparable in the record. Based on this record and after considering adjustments to the 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: 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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