



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

APPELLANT: Susan Poeta
DOCKET NO.: 20-02083.001-R-1
PARCEL NO.: 16-15-419-062

The parties of record before the Property Tax Appeal Board are Susan Poeta, 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: \$47,732
IMPR.: \$228,412
TOTAL: \$276,144

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 2-story dwelling of brick exterior construction with 5,030 square feet of living area. The dwelling was constructed in 1997 and is approximately 23 years old. The home features an unfinished basement, central air conditioning, a fireplace, and an attached garage containing 1,518 square feet of building area. The property has a site measuring approximately 22,850 square feet and is located in Highwood, 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 a grid analysis containing information on three equity comparables located in the same assessment neighborhood code as is assigned to the subject property. The comparables consist of 1.5-story or 2-story homes of brick or stucco exterior construction that range in size from 4,095 to 5,093 square feet of living area. The homes range in age from 27 to 90 years old. Each home features a basement, one of which

is partially finished. Each comparable also has central air conditioning, a fireplace, and an attached garage ranging in size from 513 to 732 square feet of building area. Comparable #1 has an additional detached garage of undisclosed size. The comparables have improvement assessments that range from \$149,829 to \$179,336 or from \$29.42 to \$43.79 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$276,144. The subject property has an improvement assessment of \$228,412 or \$45.41 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three equity comparables located in the same assessment neighborhood code as is assigned to the subject property. Comparable #2 was also submitted by the appellant as comparable #3. The comparables consist of 2-story dwellings with brick or brick and wood siding exteriors ranging in size from 4,095 to 4,831 square feet of living area. The comparables were built from 1993 to 2006. Each comparable features an unfinished basement, central air conditioning, one or two fireplaces, and an attached garage ranging in size from 422 to 729 square feet of building area. The comparables have improvement assessments ranging from \$179,336 to \$219,394 or from \$43.79 to \$48.64 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 that the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of five equity comparables including one common comparable with varying degrees of similarity to the subject in support of their positions before the Property Tax Appeal Board. The Board gave less weight to appellant's comparables #1 and #2 due to their significantly older ages when compared to the subject. Additionally, appellant's comparable #2 has a partially finished basement, dissimilar to the subject's unfinished basement.

The Board finds the board of review comparables (which includes the parties' common comparable) to be the best evidence of equity in assessment as these comparables are similar to the subject in location, design, age, unfinished basement area, and some features. However, the parties' common comparable (appellant's #3/board of review #2) as well as board of review comparable #3 have significantly smaller dwelling sizes relative to the subject dwelling. Furthermore, each of the best comparables in the record has significantly smaller garage suggesting that upward adjustments are appropriate to these comparables in order to make them more equivalent to the subject. The best comparables in this record have improvement

assessments ranging from \$179,336 to \$219,394 or from \$43.79 to \$48.64 per square foot of living area. The subject's improvement assessment of \$228,412 or \$45.41 per square foot of living area falls slightly above the range established by the most similar comparables in this record in terms of overall improvement assessment and within the range on a per square foot of living area basis. However, given the subject's larger dwelling size as well as significantly larger garage when compared to the best comparables in this record, the subject's higher improvement assessment is supported. After considering adjustments to the comparables for differences from the subject such as dwelling and garage sizes, the Board finds that the appellant did not establish by clear and convincing evidence that the subject improvement is inequitably assessed and, therefore, no reduction 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:

November 22, 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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