



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

APPELLANT: Mark Newburger  
DOCKET NO.: 20-02428.001-R-1  
PARCEL NO.: 15-09-310-001

The parties of record before the Property Tax Appeal Board are Mark Newburger, 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:** \$38,539  
**IMPR.:** \$147,251  
**TOTAL:** \$185,790

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 one-story dwelling of wood siding exterior construction with 3,002 square feet of living area. The dwelling was constructed in 1999 and is approximately 21 years old. Features of the home include a full unfinished basement, central air conditioning and a 641 square foot garage. The property has a 10,454 square foot site and is located in Vernon Hills, Vernon 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 and located within .25 of a mile from the subject property. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,700 to 2,936 square feet of living area. The dwellings are either 21 or 22 years old. The comparables have full or partial basements,

three of which have finished area. Each comparable has central air conditioning and a garage with either 440 or 484 square feet of building area. Three comparables each have one or two fireplaces. The comparables have improvement assessments that range from \$115,203 to \$130,833 or from \$42.67 to \$46.38 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$134,414 or \$44.77 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 \$185,790. The subject property has an improvement assessment of \$147,251 or \$49.05 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 and located within .22 of a mile from the subject property. The comparables are improved with one-story dwellings of wood siding or wood siding and brick exterior construction, each with 2,589 square feet of living area. The dwellings were built from 1998 to 2000. The comparables have full or partial basements, two of which have finished area. Each comparable has central air conditioning and a 441 square foot garage. Three comparables each have one fireplace. The comparables have improvement assessments that range from \$135,377 to \$148,131 or from \$52.29 to \$57.22 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 nine suggested equity comparables for the Board's consideration. The Board has given less weight to the appellant's comparables due to their dissimilar two-story dwellings when compared to the subject dwelling's one-story design.

The Board finds the best evidence of assessment equity to be the comparables submitted by the board of review, which are similar to the subject in location, design, age and some features. However, the Board finds all of these comparables have somewhat smaller dwelling sizes when compared to the subject. Furthermore, two of the comparables have basement recreation rooms, not a feature of the subject, suggesting a downward adjustment would be required to make these two comparables more equivalent to the subject. The board of review comparables have improvement assessments that range from \$135,377 to \$148,131 or from \$52.29 to \$57.22 per square foot of living area. The subject's improvement assessment of \$147,251 or \$49.05 per square foot of living area falls within the range established by the best comparables in the record in terms of overall improvement assessment but below the range on a square foot basis. Based

on this record and after considering the economies of scale and 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:

May 17, 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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