



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

APPELLANT: Stephen Pokorny
DOCKET NO.: 20-02448.001-R-1
PARCEL NO.: 15-36-202-004

The parties of record before the Property Tax Appeal Board are Stephen Pokorny, 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: \$ 99,024
IMPR.: \$116,994
TOTAL: \$216,018

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 brick construction that has 3,162 square feet of living area. The dwelling was built in 1964 with an effective age of 1966. Features include a crawl space foundation, central air conditioning, two fireplaces and an attached 1,110 square foot garage. The subject property is located in Vernon Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In support of the inequity claim, the appellant submitted a grid analysis of four assessment comparables located from .58 to 1.86 miles from the subject. The comparables consist of one-story dwellings of wood siding exterior construction that are from 39 to 60 years old. One comparable has a partial basement that is partially finished and three comparables have a concrete slab foundation. Other features include central air conditioning, one to three fireplaces and an attached or detached garage that range in size from 528 to 910

square feet of building area. The dwellings range in size from 3,038 to 3,373 square feet of living area. The comparables have improvement assessments ranging from \$89,464 to \$112,775 or from \$27.54 to \$34.95 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$222,245. The subject property has an improvement assessment of \$123,221 or \$38.97 per square foot of living area. In support of the subject's assessment, the board of review submitted four assessment comparables located from .58 to 1.56 miles from the subject. The comparables consist of one-story dwellings of brick, wood siding or wood siding and stone exterior construction that were built from 1964 to 2017. One comparable has a crawl space foundation and three comparables have a full unfinished basement. Other features include central air conditioning, one to three fireplaces and an attached garage that contains from 529 to 918 square feet of building area. Comparables #3 and #4 have a swimming pool. The dwellings range in size from 3,122 to 3,140 square feet of living area. The comparables have improvement assessments ranging from \$124,572 to \$173,818 or from \$39.77 to \$55.36 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 argued 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 met this burden of proof.

The record contains eight assessment comparables for the Board's consideration. The Board gave less weight to comparable #1 submitted by the appellant due to its distant location 1.86 miles from the subject. Additionally, this comparable is dissimilar in age and has a superior partial finished basement when compared to the subject. The Board gave less weight to comparables submitted by the board of review. Two comparables are not located in close proximity be located over one mile from the subject; two comparables are newer in age when compared to the subject; three comparables have a superior full unfinished basement when compared to the subject's crawl space foundation; and two comparables have a swimming, a feature not enjoyed by the subject. The Board finds the remaining three comparables submitted by the appellant are more similar when compared to the subject in location, design, age, dwelling size and most features, however, these properties have either one-half or one full less bathroom and a smaller garage when compared to the subject, requiring an upward adjustment to make them more equivalent to the subject. These comparables have improvement assessments ranging from \$89,464 to \$112,775 or from \$27.54 to \$34.95 per square foot of living area. The subject property has an improvement assessment of \$123,221 or \$38.97 per square foot of living area, which falls above the range established by the most similar assessment comparables contained in this record. After considering adjustments to the comparables for differences when compared to

the subject, the Board finds the subject's improvement assessment is excessive. Therefore, a reduction in the subject's improvement assessment 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:

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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