



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

APPELLANT: Francis Wapole
DOCKET NO.: 20-02589.001-R-1
PARCEL NO.: 14-32-102-011

The parties of record before the Property Tax Appeal Board are Francis Wapole, 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: \$40,200
IMPR.: \$164,223
TOTAL: \$204,423

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 and wood siding exterior construction with 3,106 square feet of living area.¹ The dwelling was constructed in 1982 and is approximately 38 years old. Features of the home include a basement, central air conditioning, two fireplaces and an 820 square foot garage. The property has an approximately 39,690 square foot site and is located in Deer Park, Ela Township, Lake County.

The appellant contends assessment inequity, with respect to the improvement assessment, as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located in the same assessment neighborhood code as the subject. The comparables are improved with 2-story dwellings of wood siding exterior construction that range

¹ The Board finds the best description of the subject's dwelling size was reported in the property record card, submitted by the board of review, which contains a sketch of the subject improvements with measurements.

in size from 3,138 to 3,466 square feet of living area. The homes range in age from 28 to 35 years old. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 763 to 840 square feet of building area. The comparables have improvement assessments that range from \$157,112 to \$171,780 or from \$48.38 to \$50.07 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$156,994 or \$50.55 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 \$204,423. The subject has an improvement assessment of \$164,223 or \$52.87 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 located in the same assessment neighborhood code as the subject property. Board of review comparable #2 is the same property as the appellant's comparable #4. The comparables are improved with 1.5-story or 2-story dwellings of brick or wood siding exterior construction that range in size from 3,164 to 3,528 square feet of living area. The homes were built from 1982 to 1991. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 768 to 996 square feet of building area. The comparables have improvement assessments that range from \$164,163 to \$182,180 or from \$48.38 to \$53.39 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 appellant 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 parties submitted eight equity comparables for the Board's consideration, as one property was common to both parties. The Board gives less weight to board of review comparable #4 which differs from the subject in design. The Board finds the best evidence of assessment equity to be the remaining seven comparables which are more similar to the subject in location, age, design, dwelling size and other features. These best comparables have improvement assessments that range from \$157,112 to \$182,180 or from \$48.38 to \$52.53 per square foot of living area. The subject's improvement assessment of \$164,223 or \$52.87 per square foot of living area falls within the range established by the best comparables in this record on an overall assessment basis and slightly above the range on a per square foot basis. Accepted real estate theory provides that, all things being equal, as the size of a property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Given the subject's smaller dwelling size, relative to the best comparables, a higher per square foot assessment appears logical. After considering appropriate adjustments to the best comparables for differences from the subject, the Board finds 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:

December 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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