



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

APPELLANT: Peter Potgieter
DOCKET NO.: 20-02905.001-R-1
PARCEL NO.: 12-19-118-003

The parties of record before the Property Tax Appeal Board are Peter Potgieter, 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: \$206,375
IMPR.: \$171,015
TOTAL: \$377,390

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 is improved with a one-story dwelling of brick exterior construction containing 5,145 square feet of living area. The dwelling was constructed in 1956 and is approximately 64 years old. Features of the home include a crawl space foundation, central air conditioning, three fireplaces and an attached garage with 1,144 square feet of building area. The property has a site with approximately 104,110 square feet of land area located in Lake Forest, Shields 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 three equity comparables improved with one-story dwellings of brick exterior construction that range in size from 4,482 to 5,020 square feet of living area. The homes range in age from 58 to 94 years old. One comparable has a slab foundation and two comparables have unfinished partial basements.

Each property has central air conditioning, two or four fireplaces and an attached or detached garage ranging in size from 552 to 858 square feet of building area. The comparables have the same assessment neighborhood code as the subject and are located within .14 of one mile from the subject property. These properties have improvement assessments ranging from \$116,831 to \$168,931 or from \$25.27 to \$36.64 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$163,954.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$406,581. The subject property has an improvement assessment of \$200,206 or \$38.91 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 improved with one-story or two-story dwellings of brick, wood siding or brick and wood siding exterior construction ranging in size from 4,291 to 4,757 square feet of living area. The homes were built from 1959 to 1994. Each comparable has a basement with one having finished area, central air conditioning, one to three fireplaces, and an attached garage ranging in size from 572 to 975 square feet of building area. Comparable #1 has a greenhouse. Comparable #2 has a utility shed and a flat barn. Comparable #3 also has a detached garage with 400 square feet of building area. One comparable has the same assessment neighborhood code as the subject and the comparables are located from approximately .14 to 1.00 miles from the subject property. These properties have improvement assessments ranging from \$164,228 to \$508,376 or from \$36.64 to \$106.87 per square foot of living area. Board of review comparable #1 is the same property as appellant's comparable #3.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of assessment equity to be the comparables submitted by the appellant, which includes the common comparable identified as board of review comparable #1. These comparables have improvement assessments that range from \$116,831 to \$168,931 or from \$25.27 to \$36.64 per square foot of living area. The subject's improvement assessment of \$200,206 or \$38.91 per square foot of living area falls above the range established by the best comparables in this record. Less weight is given board of review comparable #2 due to differences from the subject in location, dwelling in age, and additional features that include a frame utility shed and a flat barn. Less weight is given board of review comparable #3 due to differences from the subject in location and dwelling style. Based on this record the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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: 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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