



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

APPELLANT: Stacey Menheer-Swalley  
DOCKET NO.: 20-02937.001-R-1  
PARCEL NO.: 06-26-113-020

The parties of record before the Property Tax Appeal Board are Stacey Menheer-Swalley, 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:** \$8,226  
**IMPR.:** \$23,884  
**TOTAL:** \$32,110

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 vinyl siding exterior construction with 1,024 square feet of living area. The dwelling was constructed in 1963 and is approximately 57 years old. The dwelling has a reported effective age of 1974.<sup>1</sup> Features of the home include a crawl space foundation and a 288 square foot garage. The property has an approximately 11,330 square foot site and is located in Grayslake, Avon 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. The comparables are improved with one-story dwellings of vinyl siding exterior construction ranging in size from 800

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<sup>1</sup> The subject's property record card provided by the board of review revealed the subject dwelling has an effective age of 1974, which was unrefuted by the appellant.

to 1,367 square feet of living area. The dwellings are 60 to 68 years old. One comparable has a partial basement. Three comparables each have a crawl space foundation and central air conditioning. Each comparable has a garage ranging in size from 231 to 440 square feet of building area. The comparables have improvement assessments that range from \$17,172 to \$34,295 or from \$19.88 to \$25.62 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$23,884 or \$23.32 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 \$51,153. The subject property has an improvement assessment of \$42,927 or \$41.92 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. The comparables are improved with one-story dwellings of brick or vinyl siding exterior construction ranging in size from 960 to 1,152 square feet of living area. The dwellings were built from 1953 to 1966 with comparables #1, #2 and #3 having reported effective ages of 1967 or 1970. The comparables each have a full basement, four of which are finished with a recreation room. Four comparables have central air conditioning, three comparables have one or two fireplaces and each comparable has a garage ranging in size from 360 to 744 square feet of building area. The comparables have improvement assessments that range from \$53,224 to \$58,565 or from \$46.59 to \$54.61 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 met this burden of proof and a reduction in the subject's assessment is 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 comparable #3 due to its larger dwelling size when compared to the subject. The Board has also given less weight to the appellant's comparable #4 and the comparables presented by the board of review as each dwelling has a basement, four of which are finished with a recreation room, in contrast to the subject's crawl space foundation.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1 and #2, which have crawl space foundations like the subject and are relatively similar to the subject in dwelling size, design and some features, except both comparables have central air conditioning unlike the subject suggesting downward adjustments would be required to make these comparables more equivalent to the subject. The comparables have improvement assessments of \$17,172 and \$22,345 and \$19.88 and \$22.71 per square foot of living area,

respectively. The subject's improvement assessment of \$42,927 or \$41.92 per square foot of living area is greater than the two best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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:

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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