



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

APPELLANT: David Mooney  
DOCKET NO.: 20-02999.001-R-1  
PARCEL NO.: 12-31-403-013

The parties of record before the Property Tax Appeal Board are David Mooney, 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:** \$122,784  
**IMPR.:** \$336,621  
**TOTAL:** \$459,405

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 wood siding exterior construction with 4,988 square feet of living area. The dwelling was constructed in 1986. Features of the home include an unfinished partial basement, central air conditioning, two fireplaces and an attached 792 square foot garage. The property has an approximately 39,770 square foot site and is 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 four comparable properties that are located from .56 of a mile to 1.33 miles from the subject. The comparables are improved with 1.5-story or 2-story dwellings of stone or brick exterior construction ranging in size from 4,056 to 5,708 square feet of living area. The dwellings were built from 1961 to 2008. The comparables have full or partial basements, two of which have finished area, central

air conditioning, between one and five fireplaces, and an attached garage ranging in size from 624 to 1,100 square feet of building area. The comparables have improvement assessments ranging from \$257,167 to \$329,765 or from \$51.34 to \$65.79 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 total assessment for the subject of \$459,405. The subject property has an improvement assessment of \$336,621 or \$67.49 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on five comparable properties that are located from .44 of a mile to 1.16 miles from the subject. The comparables are improved with 1.5-story or 2-story dwellings of brick, wood siding or brick and wood siding exterior construction ranging in size from 4,110 to 5,444 square feet of living area. The dwellings were built from 1980 to 1992. The comparables have full or partial basements, four of which have finished area, central air conditioning, two or three fireplaces, and a detached and/or attached garage ranging in total size from 783 to 1,680 square feet of building area. One comparable has a swimming pool and one comparable has a tennis court. The comparables have improvement assessments ranging from \$312,110 to \$460,216 or from \$70.49 to \$84.54 per square foot of living area. The board of review also included a grid of the appellant's comparables.

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 parties submitted a total of nine comparable properties for the Board's consideration, none of which are particularly similar to the subject. Nevertheless, the Board gives less weight to the appellant's comparables, due to their significant difference in dwelling size and/or age when compared to the subject. In addition, the appellant's comparable #1 is located over a mile from the subject and the appellant's comparable #2 is a dissimilar 1.5-story dwelling, unlike the subject. The Board also gives less weight to the board of review's comparables #2, #3 and #4, due to their differences in dwelling size or their location over a mile from the subject. In addition, the board of review's comparable #2 is a dissimilar 1.5-story dwelling and has a swimming pool, and the board of review's comparable #3 has a tennis court, unlike the subject. The Board finds the board of review's remaining comparables are similar to the subject in location, style, age and some features. However, each of the board of review's best comparables

has a smaller dwelling, a larger garage, and one has finished basement area when compared to the subject. Nevertheless, the best comparables have improvement assessments of \$323,825 and \$338,538 or \$70.49 and \$75.33 per square foot of living area. The subject's improvement assessment of \$336,621 or \$67.49 per square foot of living area falls between the total improvement assessments of the best comparables in the record but below the improvement assessments on a per square foot basis. However, after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's lower improvement assessment per square foot is justified. Based on this record, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement is inequitably assessed and a reduction in the subject's assessment is not 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.



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Chairman



\_\_\_\_\_  
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: January 17, 2023



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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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