



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

APPELLANT: Dariusz Kotula
DOCKET NO.: 20-03093.001-R-1
PARCEL NO.: 14-29-102-005

The parties of record before the Property Tax Appeal Board are Dariusz Kotula, 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: \$45,019
IMPR.: \$132,039
TOTAL: \$177,058

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 2-story dwelling of brick exterior construction with 2,618 square feet of living area. The dwelling was built in 1986 and is approximately 34 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace, and an attached garage with 650 square feet of building area. The property has an approximately 46,238 square foot site and is located in Deer Park, Ela 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 with the same assessment neighborhood code as the subject property and located from 0.25 of a mile to 1.34 miles from the subject. The comparables are improved with 2-story dwellings of brick or wood siding exterior construction ranging in size from 2,812 to 2,924 square feet of living area. The dwellings are 33 or 38 years old. Each comparable has an unfinished basement, central air conditioning, one fireplace, and an attached garage ranging in

size from 636 to 762 square feet of building area. The improvement assessments on these properties range from \$115,142 to \$144,902 or from \$40.42 to \$49.56 per square foot of living area. The appellant requested the subject's improvement assessment be reduced to \$114,232 or \$43.63 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 \$177,058. The subject property has an improvement assessment of \$132,039 or \$50.44 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 property and located from 0.17 of a mile to 1.94 miles from the subject. The board of review reported that the comparables are improved with 2-story dwellings of brick or frame exterior construction ranging in size from 2,459 to 2,916 square feet of living area. The homes were built from 1987 to 1994. Each comparable has an unfinished basement one of which is a walk-out style, central air conditioning, one or two fireplaces, and an attached garage ranging in size from 462 to 782 square feet of building area. Comparable #4 has an inground swimming pool. The improvement assessments on these properties range from \$131,498 to \$149,872 or from \$50.58 to \$57.38 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 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 information on eight comparables to support their respective positions. The Board gives less weight to the appellant's comparable #3 as well as board of review comparables #1, #2, and #4 which are less proximate in location to the subject than the other comparables in the record.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables which are more similar to the subject in location, design, age, dwelling size, and other features. These comparables have improvement assessments that range from \$115,142 to \$132,452 or from \$40.42 to \$53.86 per square foot of living area. The subject's improvement assessment of \$132,039 or \$50.44 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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

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



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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