



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

APPELLANT: Melissa Nocera
DOCKET NO.: 21-00383.001-R-1
PARCEL NO.: 10-25-401-012

The parties of record before the Property Tax Appeal Board are Melissa Nocera, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & 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: \$17,069
IMPR.: \$87,959
TOTAL: \$105,028

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 2021 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 vinyl siding exterior construction with 2,812 square feet of living area. The dwelling was constructed in 2004 and is approximately 17 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace and a garage with 462 square feet of building area. The property has an approximately 8,460 square foot site and is located in Mundelein, Fremont 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 suggested equity comparables that are in the same assessment neighborhood code as the subject and located within 0.23 of a mile from the subject property. The comparables are improved with 2-story dwellings of vinyl siding exterior construction ranging in size from 2,132 to 2,156 square feet of living area. The dwellings are 30 to 33 years old. Each comparable has an unfinished basement, central air conditioning and a garage with either 420 or 441 square feet of building area. One comparable has a fireplace. The comparables have improvement assessment ranging from \$60,884 to \$66,816 or from

\$28.56 to \$30.60 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$84,360 or \$30.00 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 \$109,583. The subject property has an improvement assessment of \$92,514 or \$32.90 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on five suggested equity comparables that are in the same assessment neighborhood code as the subject and located within 0.29 of a mile from the subject property. The comparables are improved with 2-story dwellings of vinyl siding exterior construction ranging in size from 2,466 to 2,756 square feet of living area. The dwellings were built from 1991 to 2014. Each comparable has a basement, three with finished area, central air conditioning and a garage ranging in size from 420 to 559 square feet of building area. Four comparables each have a fireplace. The comparables have improvement assessments ranging from \$77,839 to \$107,313 or from \$31.20 to \$39.89 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 based upon the evidence in the record a reduction in the subject's assessment is warranted.

The parties submitted nine suggested comparables for the Board's consideration. The Board has given less weight to the appellant's comparables, due to their dissimilar dwelling size when compared to the subject. The Board gave reduced weight to the board of review comparables #1, #2 and #4, due to their basement finished area, a feature the subject lacks.

The Board finds the best evidence of assessment to be the board of review comparables #3 and #5 which are relatively similar to the subject in location, design, dwelling size, age and some features. These most similar comparables have improvement assessments of \$78,563 and \$86,405 or for \$31.20 to \$31.35 per square foot of living area. The subject property has an improvement assessment of \$92,514 or \$32.90 per square foot of living area, which is greater than the best comparables in the record. Based on this record, the Board finds the appellant did demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the 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:

August 22, 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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