



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

APPELLANT: Tony & Tina DiVagno  
DOCKET NO.: 21-00420.001-R-1  
PARCEL NO.: 16-14-308-012

The parties of record before the Property Tax Appeal Board are Tony & Tina DiVagno, the appellants, 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 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:** \$53,201  
**IMPR.:** \$104,676  
**TOTAL:** \$157,877

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 brick exterior construction with 2,760 square feet of living area. The dwelling was constructed in 1920 and is approximately 101 years old and has an effective age of 1957. Features of the home include an unfinished basement, central air conditioning and a garage containing 528 square feet of building area. The property has a 10,000 square foot site that is located in Highland Park, Moraine Township, Lake County.

The appellants contend assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellants submitted information on four suggested equity comparables that are in the same assessment neighborhood code as the subject and located within 0.25 of a mile from the subject property. The comparables are improved with 1.5-story, 2-story or 2.5-story dwellings of brick or stucco exterior construction that range in size from 2,476 to 2,850 square feet of living area and are from 73 to 106 years old. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 330 to 506 square feet of building area. The comparables have improvement assessments ranging from \$85,241 to \$95,249 or from \$29.91 to \$35.98 per square foot of living area. Based on this evidence, the

appellants requested the subject's improvement assessment be reduced to \$93,012 or \$33.70 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 \$157,877. The subject property has an improvement assessment of \$104,676 or \$37.93 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 0.32 of a mile from the subject property. Comparable #1 is identical to the appellant's comparable #2. The comparables are improved with 2-story dwellings of brick, stucco, wood siding, brick and wood siding or brick and vinyl siding exterior construction ranging in size from 2,460 to 2,850 square feet of living area. The dwellings were built from 1920 to 1948, with comparables #3 and #4 having effective ages of 1965 and 1948, respectively. Each comparable has a basement, three with finished area, central air conditioning and a garage ranging in size from 380 to 728 square feet of building area. Four comparables each have a fireplace. The comparables have improvement assessments ranging from \$95,249 to \$109,134 or from \$35.07 to \$42.90 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 taxpayers contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparables for the Board's consideration, with one comparable being common to both parties. The Board has given less weight to the board of review comparables #2, #4 and #5 due to their basement finished area, an amenity the subject lacks.

The Board finds the best evidence of assessment equity to be the appellants' comparables along with the board of review comparables #1 and #3, that includes the common comparable, which are relatively similar to the subject in location, dwelling size, age and features. These most similar comparables have improvement assessments ranging from \$85,241 to \$109,134 or from \$29.91 and \$42.90 per square foot of living area. The subject property has an improvement assessment of \$104,676 or \$37.93 per square foot of living area, which falls within the range of the best comparables in the record. Based on this record and after considering adjustments to the best comparables 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 assessment was inequitably assessed and a reduction in the 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



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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COUNTY

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