



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

APPELLANT: Tom Duensing
DOCKET NO.: 21-00500.001-R-1
PARCEL NO.: 13-16-105-006

The parties of record before the Property Tax Appeal Board are Tom Duensing, 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 **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: \$15,248
IMPR.: \$145,465
TOTAL: \$160,713

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 1.5-story dwelling of frame exterior construction with 3,527 square feet of living area. The dwelling was constructed in 1995 and is approximately 26 years old. Features of the home include a basement with finished area, central air conditioning, and a garage containing 1,463 square feet of building area. The property has an approximately 90,480 square foot site and is located in Cary, Cuba Township, Lake County.

The appellant contends assessment inequity with regard to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on three equity comparables located within .57 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of 1.5-story or 2-story dwellings of frame exterior construction ranging in size from 3,151 to 3,520 square feet of living area. The homes were built from 1987 to 1995. Each dwelling has central air conditioning, a basement with one having

finished area, and a garage ranging in size from 676 to 877 square feet of building area. Two comparables each have a fireplace. The comparables have improvement assessments ranging from \$115,421 to \$132,560 or from \$34.83 to \$38.65 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$130,663 or \$37.05 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 \$160,713. The subject property has an improvement assessment of \$145,465 or \$41.24 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 located within .73 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of 2-story or part 1-story and part 2-story¹ dwellings of wood siding or wood siding and stone exterior construction ranging in size from 3,084 to 3,960 square feet of living area. The homes were built from 1988 to 2002. Each dwelling has central air conditioning, one or two fireplaces, a basement with two having finished area, and an attached garage ranging in size from 792 to 1,118 square feet of building area. The comparables have improvement assessments ranging from \$129,694 to \$171,978 or from \$39.56 to \$55.76 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of eight equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables #1 and #2, as well as board of review comparables #2, #4, and #5, due to their lack of basement finish when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparable #3 and board of review comparables #1 and #3, which are similar to the subject in age, location, dwelling size, and features. These comparables have improvement assessments that range from \$115,421 to \$171,978 or from \$34.83 to \$55.76 per square foot of living area. The subject's improvement assessment of \$145,465 or \$41.24 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 to the best comparables for differences from the subject, the Board finds

¹ Although the board of review's grid describes comparable #2 as a 1-story dwelling, the grid reports a 1,093 square foot ground floor and a 3,960 above ground living area indicating that this property is a part 2-story dwelling.

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



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:

July 18, 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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