



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

APPELLANT: Paula & Peter Rogus
DOCKET NO.: 21-02630.001-R-1
PARCEL NO.: 14-05-306-009

The parties of record before the Property Tax Appeal Board are Paula & Peter Rogus, 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: \$40,641
IMPR.: \$181,273
TOTAL: \$221,914

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 4,191 square feet of living area. The dwelling was constructed in 2000. Features of the home include an unfinished walkout basement, central air conditioning, three fireplaces, an attached 759 square foot garage and a balcony. The property has a 47,380 square foot site and is located in Hawthorn Woods, Ela Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable properties that are located within .22 of a mile from the subject. The comparables have sites ranging in size from 39,398 to 54,371 square feet of land area that are improved with 1.5-story or 2-story dwellings of frame or brick exterior construction ranging in size from 3,524 to 4,554 square feet of living area. The dwellings were built from 1989 to 1998. The comparables have unfinished basements, one of which has a

walkout, central air conditioning, one or two fireplaces, and an attached garage ranging in size from 712 to 1,584 square feet of building area. One comparable has a gazebo. The comparables sold from May 2019 to March 2021 for prices ranging from \$470,000 to \$675,000 or from \$116.16 to \$148.22 per square foot of living area, including land.

Based on this evidence the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$221,914. The subject's assessment reflects a market value of \$667,411 or \$159.25 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted assessment information on five comparable properties to demonstrate the subject is being equitably assessed.

Based on this evidence the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of three comparable sales, submitted by the appellants, for the Board's consideration. The Board finds the comparables are similar to the subject in location and some features. However, each of the comparables has an older dwelling when compared to the subject. In addition, comparable #3 is a dissimilar 1.5-story dwelling and comparables #1 and #2 differ considerably in size when compared to the subject. Finally, comparable #3 has a sale date occurring greater than 19 months prior to the January 1, 2021 assessment date at issue. Nevertheless, the appellants' comparables sold from May 2019 to March 2021 for prices ranging from \$470,000 to \$675,000 or from \$116.16 to \$148.22 per square foot of living area, including land. The subject's assessment reflects a market value of \$667,411 or \$159.25 per square foot of living area, including land, which falls within the range established by the comparable sales in the record on a total market value basis but above the range on a per square foot basis. However, after considering adjustments to the comparables for differences when compared to the subject, such as their older dwelling, the Board finds the subject's higher per square foot estimated market value as reflected by its assessment is justified. The Board gives less weight to the board of review's comparable assessment data, as this evidence is not responsive to the overvaluation argument brought by the appellants. Based on this evidence the Board finds 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:

November 21, 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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