



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

APPELLANT: Brian Gagne
DOCKET NO.: 21-02754.001-R-1
PARCEL NO.: 10-15-304-023

The parties of record before the Property Tax Appeal Board are Brian Gagne, 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: \$47,833
IMPR.: \$143,815
TOTAL: \$191,648

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 part 1-story and part 2-story dwelling with brick exterior construction containing 3,607 square feet of living area.¹ 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, two fireplaces, and a 1,061 square foot garage. The property has a 15,620 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 equity comparables located within .61 of a mile from the subject property and have the same assessment

¹ The Board finds the best description of the subject property was found in the property record card submitted by the board of review which contained a sketch diagram with exterior dimensions and area calculations that disclosed the subject has 1,071 square feet of second floor living area.

neighborhood code as the subject property. The comparables are improved with 2-story dwellings of brick exterior construction that range in size from 3,975 to 4,121 square feet of living area. The dwellings are 20 to 25 years old and have basements, three of which have finished area. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 674 to 921 square feet of building area. The comparables have improvement assessments that range from \$111,085 to \$149,328 or from \$26.96 to \$37.57 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$191,648. The subject property has an improvement assessment of \$143,815 or \$39.87 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 .56 of a mile from the subject property and have the same assessment neighborhood code as the subject property. The comparables are improved with 1-story² or 2-story dwellings of wood siding, stone and wood siding, or brick and wood siding exterior construction ranging in size from 3,402 to 3,716 square feet of living area. The comparables were built from 1996 to 2000 and have basements, four of which have finished area. Each comparable has central air conditioning; one or two fireplaces, and a garage ranging in size from 664 to 922 square feet of building area. The comparables have improvement assessments ranging from \$137,330 to \$159,662 or from \$39.15 to \$43.41 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 record contains a total nine equity comparables for the Board's consideration. The Board gives less weight to appellant's comparables #1, #2 and #4 as well as board of review comparable #4 which are less similar in dwelling size or lack finished basement area 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, #2, #3 and #5 which overall are more similar to the subject in

² The Board finds comparables #1, #3 and #5 have ground floor areas of 1,496, 1,107, and 1,526 square feet with above ground areas of 3,402, 3,557, and 3,716 square feet, respectively, suggesting these dwellings are part 2-story in design.

location, age, dwelling size, and features. These comparables have improvement assessments ranging from \$137,555 to \$159,662 or from \$35.49 to \$43.41 per square foot of living area. The subject's improvement assessment of \$143,815 or \$39.87 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 appropriate adjustments to the comparables for differences from the subject property, 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



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:

October 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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