



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

APPELLANT: Edelwina Hernando
DOCKET NO.: 21-02900.001-R-1
PARCEL NO.: 14-11-309-005

The parties of record before the Property Tax Appeal Board are Edelwina Hernando, 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: \$29,074
IMPR.: \$131,849
TOTAL: \$160,923

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-story dwelling of brick exterior construction with 3,196 square feet of living area. The dwelling was constructed in 1978. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 713 square foot attached garage. The property has an approximately 38,277 square foot site and is located in Hawthorn Woods, Ela 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 comparable properties located in the same assessment neighborhood code as the subject property and from 0.30 of a mile to 1.04 miles from the subject. The comparables are improved with 1-story¹

¹ The appellant's grid analysis reported comparable #4 to be a 1-story home; however, the grid analysis disclosed this comparable to have a second level with 735 square feet of living area thus suggesting it is a part 2-story home.

dwelling of frame, brick, or brick and frame exterior construction ranging in size from 2,530 to 3,217 square feet of living area. The dwellings were built in either 1978 or 1979. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces, and an attached garage that ranges in size from 528 to 1,008 square feet of building area. The comparables have improvement assessments ranging from \$98,589 to \$126,577 or from \$38.97 to \$40.77 per square foot of living area. Based on this evidence the appellant requested a reduction in the subject's improvement assessment to \$126,361 or \$39.54 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 \$160,923. The subject property has an improvement assessment of \$131,849 or \$41.25 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on eight comparable properties located in the same assessment neighborhood code as the subject property and from 0.16 of a mile to 1.26 miles from the subject. The comparables are improved with 1-story dwellings of brick or frame exterior construction ranging in size from 2,830 to 3,240 square feet of living area. The dwellings were built from 1965 to 1979. The comparables each have a basement with three of these being walkouts. Each comparable has central air conditioning, one or two fireplaces, and an attached garage that ranges in size from 484 to 3,930 square feet of building area. Comparable #7 also has an additional 896 square foot detached garage. The comparables have improvement assessments ranging from \$121,649 to \$150,629 or from \$41.77 to \$50.26 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 twelve comparable properties for the Board's consideration. The Board gives less weight to the appellant's comparables as well as board of review comparables #2, #4, #6, #7, and #8 which differ from the subject in design, age, dwelling size, and/or due to their location over a mile from the subject. In addition, board of review comparable #7 has an additional detached garage, unlike the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #1, #3, and #5 which are most similar to the subject dwelling size with varying degrees of similarity in location, design, age, and most features. These three comparables have improvement assessments ranging from \$130,845 to \$139,764 or from \$41.77 to \$43.90 per square foot of living area. The subject's improvement assessment of \$131,849 or \$41.25 per square foot of

living area falls within the range established by the best comparables in this record on an overall improvement assessment basis but below the range on a per square foot basis. Based on this record and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement is inequitably assessed and a reduction in the subject's assessment is not warranted.

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:

December 19, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Edelwina Hernando, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld & Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085