



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

APPELLANT: Patrick Lucansky
DOCKET NO.: 21-04877.001-R-1
PARCEL NO.: 10-13-310-027

The parties of record before the Property Tax Appeal Board are Patrick Lucansky, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest, 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: \$37,070
IMPR.: \$113,423
TOTAL: \$150,493

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 two-story dwelling of vinyl siding and brick exterior construction with 3,372 square feet of living area.¹ The dwelling was constructed in 2006. Features of the home include 3.5 bathrooms, a full walkout-style basement with finished area, central air conditioning, a fireplace and a 672 square foot garage. The property has a 14,100 square foot site and is located in Mundelein, Fremont Township, Lake County.

The appellant contends assessment inequity concerning the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on twelve equity comparables located in the same assessment neighborhood code as the subject and within .16 of a mile from the subject. The comparables consist of two-story dwellings that were built in either

¹ Features of the subject dwelling not provided by the appellant have been drawn from the property record card submitted by the board of review and which descriptions were not refuted by the appellant in rebuttal.

2005 or 2006. The dwellings range in size from 3,299 to 3,500 square feet of living area and have unfinished basements as reported by the appellant. Each comparable has either 2.5 or 3.5 bathrooms, central air conditioning, a fireplace and a garage ranging in size from 672 to 800 square feet of building area. The comparables have improvement assessments ranging from \$93,225 to \$104,303 or from \$26.64 to \$30.90 per square foot of living area.

Based on this evidence, the appellant requested a reduced improvement assessment of \$102,711 or \$30.46 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 \$150,493. The subject property has an improvement assessment of \$113,423 or \$33.64 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 in the same assessment neighborhood code as the subject and within .13 of a mile from the subject. The comparables consist of two-story dwellings of vinyl siding and brick exterior construction that were built in either 2005 or 2006. The dwellings range in size from 3,377 to 3,518 square feet of living area, from 3.5 to 5.5 bathrooms, a basement, four of which are walkout-style and each of which has finished area, central air conditioning, a fireplace and a either a 660 or 672 square foot garage. Comparable #1 has an inground swimming pool. The comparables have improvement assessments ranging from \$113,391 to \$122,776 or from \$33.58 to \$35.19 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 seventeen equity comparables to support their respective positions before the Property Tax Appeal Board. The Board finds the best evidence of assessment equity to be appellant's comparables #6, #8 and #11 along with board of review comparable #4. These comparables have improvement assessments that range from \$93,225 to \$113,391 or from \$26.64 to \$33.58 per square foot of living area. The subject's improvement assessment of \$113,423 or \$33.64 per square foot of living area falls slightly above the range established by the best comparables in this record which appears to be logical when giving due consideration to the subject's 2006 construction date and finished walkout basement feature.

The Board has given reduced weight to the remaining comparables presented by the appellant for their reduced number of full bathrooms as compared to the subject and the lack of information on

basement finish as presented by the appellant. The Board has given reduced weight to board of review comparable #1 due to its swimming pool which is not a feature of the subject and to board of review comparables #2, #3 and #5 which each have more bathrooms than the subject.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

Based on this record and after considering appropriate 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 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:

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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