



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

APPELLANT: Beverly Roth
DOCKET NO.: 21-05030.001-R-1
PARCEL NO.: 16-28-312-035

The parties of record before the Property Tax Appeal Board are Beverly Roth, 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: \$49,585
IMPR.: \$86,337
TOTAL: \$135,922

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 one-story dwelling of brick exterior construction with 1,839 square feet of living area. The dwelling was constructed in 1956. Features of the home include a partial basement with finished area. Features include central air conditioning, a fireplace and a 288 square foot garage. The property has an approximately 9,710 square foot site and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends assessment inequity regarding the land assessment as the basis of the appeal. In support of this argument, the appellant submitted information on twelve equity comparables located within the same assessment neighborhood code as the subject and within .39 of a mile from the subject. The parcels range in size from 9,814 to 10,123 square feet of land area and have land assessments ranging from \$45,045 to \$51,480 or from \$4.58 to \$5.09 per square foot of land area.

Based on this evidence, the appellant requested a reduction in the subject's land assessment to \$44,472 or \$4.58 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$135,922. The subject property has a land assessment of \$49,585 or \$5.11 per square foot of land area.

Of note, the property record card for the subject depicts the assessment based upon the "front foot" method. Similarly, the board of review grid sets forth "land method" as "front foot. Neither party to this appeal provided the front foot measurements of the subject and/or any of the comparable parcels. Thus, the Board will analyze this appeal as the parties have utilizing the square foot unit of measure.

In support of its contention of the correct assessment, the board of review purported to submit information on fourteen equity comparables, however, comparables #11 and #14 are the same property. Furthermore, for ease of reference, it is noted that the second and third pages of comparables were identified as comparables #6 through #10 and #11 through #14, respectively. As a duplicate, the Board will give no further consideration to comparable #14 on this record. Each of the board of review comparables are located on the same street as the subject. Comparables #1, #3, #5, #6, #8, #11 and #12 are located within the same assessment neighborhood code as the subject. Each of the thirteen comparable are located within .26 of a mile from the subject. The parcels range in size from 7,980 to 10,660 square feet of land area and have land assessments ranging from \$40,754 to \$54,225 or from \$5.08 to \$5.11 per square foot of land area.

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

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal concerning the land. 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 land assessment is not warranted.

The record contains a total of twenty-five (25) land equity comparables for the Board's consideration, excluding the one duplicate presented by the board of review. The Board gives less weight to board of review comparables #2, #4, #7, #9, #10 and #13, which are close in proximity to the subject, but have differing neighborhood assessment codes than the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables along with board of review comparables #1, #3, #5, #6, #8, #11 and #12, which are each located in the same assigned neighborhood code as the subject and bracket the subject in lot size; none of the comparables have the same lot size as the subject. However, as noted previously, neither party provided the front foot measurements for the subject and comparables which appears to be the basis upon which the properties were assessed for land valuation purposes. The Board finds the most similar comparables have land assessments that range from \$40,754 to \$51,480 or from \$4.58 to \$5.11 per square foot of land area. The subject's land assessment of \$49,585 or \$5.11 per square foot of land area falls within the range of the best comparables in terms of overall land assessment and on a square foot basis.

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 analyzing the totality of the land equity comparables presented by the parties, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed. Therefore, the Board finds that a reduction in the subject's land 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:

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

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

APPELLANT

Beverly Roth, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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