



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

APPELLANT: Joe Luminiello
DOCKET NO.: 21-00484.001-R-1
PARCEL NO.: 13-10-201-007

The parties of record before the Property Tax Appeal Board are Joe Luminiello, 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: \$40,510
IMPR.: \$131,187
TOTAL: \$171,697

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 2-story dwelling of wood siding exterior construction with 3,170 square feet of living area.¹ The dwelling was constructed in 1987. Features of the home include a walk out basement with finished area, central air conditioning, two fireplaces, a garage containing 864 square feet of building area and an 800 square foot in ground swimming pool. The property has a 67,278 square foot site and is located in Tower Lakes, Cuba 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 five suggested equity comparables that are in the same assessment neighborhood code as the subject and located from 0.28 of a mile to 1.09 miles from the subject property. The comparables are improved with 2-story dwellings of either frame or brick and frame exterior construction ranging in size from 2,940 to 3,282

¹ The parties differ as to the subject's dwelling size and basement finish. The Board finds the best evidence of size is found in the subjects property record card provided by the board of review, which contained a schematic diagram and dimensions of the improvements.

square feet of living area that were built from 1969 to 1996, with comparable #5 having effective age of 1974. Each comparable has a basement with finished area, three of walk out design, central air conditioning, one or two fireplaces and a garage ranging in size from 504 to 736 square feet of building area. The comparables have improvement assessments ranging from \$107,824 to \$120,069 or from \$33.48 to \$38.51 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$171,697. The subject property has an improvement assessment of \$131,187 or \$41.38 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on five suggested equity comparables that are in the same assessment neighborhood code as the subject and located within 0.95 of a mile from the subject property. The comparables are improved with 2-story dwellings of Dryvit, wood siding or brick and wood siding exterior construction ranging in size from 3,072 to 3,361 square feet of living area that were built from 1980 to 1990. Each comparable has a basement, four with finished area and one of walk out design. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 615 to 903 square feet of building area. The comparables have improvement assessments ranging from \$137,557 to \$163,458 or from \$44.78 to \$49.20 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 ten suggested comparables for the Board's consideration. The Board has given less weight to the appellant's comparables #2 and #5 due to their dissimilar age and/or the location of over one mile away from the subject.

The Board finds the best evidence of assessment equity to be the appellant's comparables #1, #3 and #4 along with the board of review comparables which are most similar to the subject in location, design, dwelling size, age and features. These most similar comparables have improvement assessments ranging from \$107,824 to \$163,458 or from \$36.17 to \$49.20 per square foot of living area. The subject property has an improvement assessment of \$131,187 or \$41.38 per square foot of living area, which falls within the range of the best comparables in this record. Based on this record, and after considering adjustments for differences between the best equity comparables and the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement assessment was inequitably assessed and a reduction in the 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: September 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

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